

TOWN OF IPSWICH  
MASSACHUSETTS

BOARD OF SELECTMEN MEETING  
SELECTMEN'S MEETING ROOM – TOWN HALL, 25 GREEN STREET  
Monday, March 21, 2016 at 7:00 PM

AGENDA

Updated:

<u>Approx. Time</u>	<u>Posted Time</u>	
7:00 PM		<b>1. Pledge of Allegiance</b>
		<b>2. Welcome/Announcements</b> – N. Mootafian
7:01 PM		a) Gift Acceptance from Action Ambulance
		b) Gift Acceptance from Ipswich Shellfish
7:02 PM		<b>3. Citizen Queries</b> - N. Mootafian
7:15 PM	7:15 PM	<b>4. PUBLIC HEARING – Mill Road Pole Petition</b> – D. Rowland
7:25 PM	7:25 PM	<b>5. PUBLIC HEARING – New Liquor License for Cellar Door Wine and Beer, LLC</b> – N. Mootafian (hearing will be closed and rescheduled)
7:26 PM		<b>6. Discussion – Request for Outdoor Seating from Ipswich Ale Brewery</b> – N. Mootafian
7:35 PM	7:35 PM	<b>7. PUBLIC HEARING – 2016 ATM Warrant/Sign Warrant</b> – N. Mootafian
9:00 PM		<b>8. Discussion – Conflict of Interest Determination on Electric Light Sub-Committee</b>
9:25 PM		<b>9. Approval of Commercial Shellfish Licenses</b> – N. Mootafian
9:27 PM		<b>10. Approval of Minutes</b> – N. Mootafian
		a) February 29, 2016
9:30 PM		<b>11. Consent Agenda</b> – N. Mootafian
		a) One Day Liquor License(s)
9:35 PM		<b>12. Sub-Committee Reports</b> - Various
9:40 PM		<b>13. Old Business</b> – N. Mootafian
9:45 PM		<b>14. New Business*</b> - N. Mootafian
9:50 PM		<b>15. Miscellaneous and Correspondence</b> – N. Mootafian

\*All business not reasonably anticipated 48 hours in advance of the meeting

Agenda items may be taken out of order to fill time gaps. All times other than public hearing times are approximate.

***Town of Ipswich/School Department  
Office at Town Hall, 25 Green Street  
Ipswich, MA 01938  
Phone #: 978-356-2030  
Cell #: 978-265-3079***

## **FACILITIES DEPARTMENT**

# Memo

**To:** Board of Selectmen  
**From:** William A. Hodge, Sr.  
**CC:** Robin Crosbie, Stephanie Frontiera  
**Date:** March 14, 2016  
**Re:** Action Ambulance Check for Linebrook Fire Station Window Replacements

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The following check was received from Action Ambulance on February 26, 2016, in the amount of \$7,040. The purpose of the check is to pay for replacement of the Linebrook Fire Station windows and any small related repairs as a result.

Please accept this gift to the Town of Ipswich.

Thank you,

Bill Hodge and Jane Spellman  
Facilities Department

TOWN OF IPSWICH  
Department of Planning & Development

TO: Board of Selectmen

Date: March 16, 2016

FROM: Glenn C. Gibbs, Planning Director

Copies To: Town Manager

SUBJECT: Acceptance of Gift from Ipswich Shellfish Company

REFERENCE: Your Meeting of March 21, 2016

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The Ipswich Shellfish Company has gifted the Town \$1,000, with the request that it be put toward the cost of replacing the current jumble of signs on Topsfield Road at its intersection with Mill Road with two new wayfinding signs, one of which identifies fraternal organizations and the other which welcomes visitors to Ipswich. (Please see email from Chrissi Pappas, President of Ipswich Shellfish, reprinted below).

I encourage you to publicly accept and acknowledge this generous gift at your meeting on March 21<sup>st</sup>. A check in the amount of \$1,000 has already been submitted to my office, and I will deposit it into the appropriate account once you have officially accepted it as a gift. Thank you.

**From:** Bob Butcher [mailto:bob@ipswichshellfish.com]  
**Sent:** Friday, March 11, 2016 11:09 AM  
**To:** Gibbs, Glenn  
**Cc:** Bob Butcher; Chrissi Pappas  
**Subject:** signs

Hi Mr. Gibbs,

Thank you for sending information on the new signs. The fraternal organization sign and directional sign will be a wonderful improvement over the existing mismatched advertisements. It would be my pleasure to contribute \$1,000 toward the expense of this upgrade. Please let me know if the check should be made out to the Town of Ipswich or a specific town department.

Sincerely,

Chrissi Pappas

## **TOWN OF IPSWICH LEGAL NOTICE**

Residents of the Town of Ipswich please note the Board of Selectmen will hold a public hearing in the Selectmen's Meeting Room of the Town Hall on Monday, March 21, 2016 at 7:15 PM to act on the petition from Verizon New England and Ipswich Municipal Light Department to request permission to locate, poles, wires, cables and fixtures, including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across Mill Road.

Board of Selectmen  
Nishan D. Mootafian, Chair

NW/CN13398512

☐ **PROOF O.K. BY:** \_\_\_\_\_ ☐ **O.K. WITH CORRECTIONS BY:** \_\_\_\_\_

**PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE**

**NW-CN13398512 (100%)**

ADVERTISER: IPSWICH TOWN MANAGER

SALES PERSON: NWON01

SIZE: 1.694X4

PUBLICATION: NW-IPSWICH CH

PROOF CREATED AT: 2/29/2016 2:30:52 PM

NEXT RUN DATE: 03/03/16

PROOF DUE: 03/02/16 04:59:55

## PETITION FOR JOINT OR IDENTICAL POLE LOCATIONS

**January 29, 2016**

To the **Board of Selectmen of the Town of Ipswich, Massachusetts**

**Verizon New England Inc. and Ipswich Municipal Light Department** request permission to locate poles, wires, cables and fixtures, including the necessary anchors, guys and other such sustaining and protecting fixtures to be owned and used in common by your petitioners, along and across the following public way or ways:

**Mill Road:**

Place one (1) new jointly owned stub pole No. 22S on the easterly side of Mill Road at a point approximately 50' feet East from the existing pole 22 Mill Road

Wherefore they pray that after due notice and hearing as provided by law, they be granted joint or identical locations for and permission to erect and maintain poles, wires and cables, together with anchors, guys and other such sustaining and protecting fixtures as they may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked:

**"Mill Rd. Stub Pole" Locus: Mill Rd. Dated 2/29/16**

Also for permission to lay and maintain underground laterals, cable and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioners agree to reserve space for one cross arm at a suitable point on each of said poles for the limited purpose of attaching one-way low voltage fire and police signaling wires for public safety purposes only

Ipswich Municipal Light Dept.

A handwritten signature in black ink, appearing to read 'Daniel Rowland', is written over a horizontal line.

Daniel Rowland

Distribution Foreman

272 High St. Ipswich MA

## ORDER FOR JOINT OR IDENTICAL POLE LOCATIONS

By the **Board of Selectman of the Town of Ipswich, Massachusetts**

Notice having been given and a public hearing held, as provided by law, it is hereby ordered:

That **Verizon New England Inc.** and **Ipswich Municipal Light Department** be and they are hereby granted joint or identical locations for and permission to erect and maintain poles and their respective wires and cables to be placed thereon, together with anchors, guys and other sustaining and protecting fixtures as said companies may deem necessary in the public way or ways hereinafter referred to as requested in petition of said companies dated **2/17/16**.

All construction under this order shall be in accordance with the following conditions

:

Poles shall be of sound timber and reasonably straight and shall be set substantially at the points indicated upon the plan marked **"Mill Rd. Stub Pole" Locus: Mill Rd. Dated 2/29/16** and filed with said petition. There may be attached to said poles by said Verizon New England Inc. and by said Ipswich Municipal Light Department, such wires, cables and fixtures as are necessary in its business and all of said wires and cables shall be placed at a height of not less than 18 feet from the ground at highway crossings and not less than 12 feet from the ground elsewhere.

The following are the public ways or parts of ways along which the poles above referred to may be erected and the number of poles with may be erected thereon under this order:

### **Mill Road:**

Place one (1) new jointly owned stub pole No. 22S on the easterly side of Mill Road at a point approximately 50' feet East from the existing pole 22 Mill Road

Also that permission be and hereby is granted to each of said companies to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each may desire for distributing purposes.

I hereby certify that the foregoing order was adopted at a meeting of the Board of Selectmen of the Town of Ipswich, Massachusetts, held on the \_\_\_\_ day of \_\_\_\_\_, 2016.

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Clerk of the Selectmen

I hereby certify that on \_\_\_\_\_, 2016, at \_\_\_\_\_ O'clock \_\_\_\_m. at Ipswich, Massachusetts, a public hearing was held on the petition of **Verizon New England Inc.** and **Ipswich Municipal Light Department** for permission to erect the poles, wires, cables, fixtures and connections described in the order herewith recorded and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the companies are permitted to erect poles, wires, cables, fixtures and connections under said order.

And that thereupon said order was duly adopted.

By: Clerk of the Selectmen \_\_\_\_\_

### CERTIFICATE

I hereby certify that the foregoing is a true copy of a Joint Location Order and certificate of hearing with notice adopted by the Board of Selectmen of the Town of Ipswich, Massachusetts on the \_\_\_\_\_ day of \_\_\_\_\_, 2016 and recorded with the records of Location Orders of said town, Book \_\_\_\_\_, Page \_\_\_\_\_. This certified copy is made under the provisions of Massachusetts General Laws, Chapter 166 and any additions thereto or amendments thereof.

Attest:

\_\_\_\_\_  
Town Clerk



# Mill rd. stub pole

Ipswich, MA



February 22, 2016

1 inch = 94 Feet

[www.cai-tech.com](http://www.cai-tech.com)



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



Petition to add stub pole to  
Mill Rd.



## LOCATION OF PROPOSED STUB POLE

Ipswich, MA



February 12, 2016

1 inch = 94 Feet

[www.cai-tech.com](http://www.cai-tech.com)



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

The street pole is guyed to dead ash tree that homeowners want to remove.





A stub pole need to be added to remove the guy from the tree and an anchor to hold the pole



View heading north



With pole added heading north



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**MEMORANDUM**

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**TO:** BOARD OF SELECTMEN  
**FROM:** JENNIFER F. BREAKER, SPECIAL ASSISTANT TO BOS/TM  
**SUBJECT:** PUBLIC HEARING FOR CELLAR DOOR WINE AND BEER, LLC  
**DATE:** 3/17/2016

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At your meeting on March 21, 2016 you have a scheduled public hearing for a liquor license application from Cellar Door Wine and Beer, LLC. After the office submitted the legal ad for the public hearing to the newspaper, there was a minor delay in the application process. Because of this delay the completed application is not ready for the March 21, 2016 meeting.

Please announce that the hearing will not be opened tonight but has been re-advertised for April 4, 2016 and will be heard at that time

Thank you

**TOWN OF IPSWICH  
LEGAL NOTICE**

Residents of the Town of Ipswich please note the Board of Selectmen will conduct a public hearing on Monday, March 21, 2016, at 7:25 PM, to hear testimony on an application for a wine & malt package store (section 15) liquor license from Cellar Door Wine and Beer, LLC, 1 North Main Street, Unit B, Ipswich MA.

Nishan D. Mootafian  
Board of Selectmen

NW/CN13398509

☐ **PROOF O.K. BY:** \_\_\_\_\_ ☐ **O.K. WITH CORRECTIONS BY:** \_\_\_\_\_

**PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE**

**NW-CN13398509 (100%)**

ADVERTISER: IPSWICH TOWN MANAGER

SALES PERSON: NWON01

SIZE: 1.694X3

PUBLICATION: NW-IPSWICH CH

PROOF CREATED AT: 2/29/2016 2:15:49 PM

NEXT RUN DATE: 03/03/16

PROOF DUE: 03/02/16 04:59:55



The Ipswich Ale Brewery  
2 Brewery Place  
Ipswich, MA 01938

February 19, 2016

Ipswich Board of Selectmen  
Town Hall  
Ipswich, MA 01938

Dear Selectmen,

It is our desire to extend our Farmer Series Pouring Permit to encompass the brick sidewalk in front of the restaurant/brick portion of our facility. We believe that having the option of outdoor dining in the downtown area would be a great draw for Ipswich and it would greatly help the town its quest to make the downtown area more of a tourist destination. Destinations such as this will help to capture more of the North Shore's tourism dollars not only at our restaurant but at all the local storefront business. It is truly a win-win for all.

I have included a drawing which depicts the area we are interested in permitting.

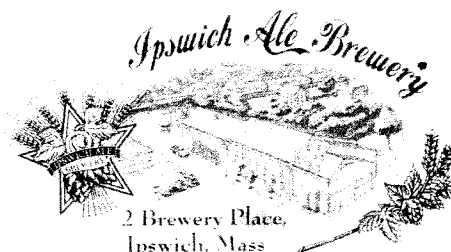
Please let me know what how I should proceed to move this process forward.

Thank you for your time.

Sincerely,



Rob Martin, President  
Ipswich Ale Brewery



CH ALE BREWER,  
at  
WO BREWERY PLACE"

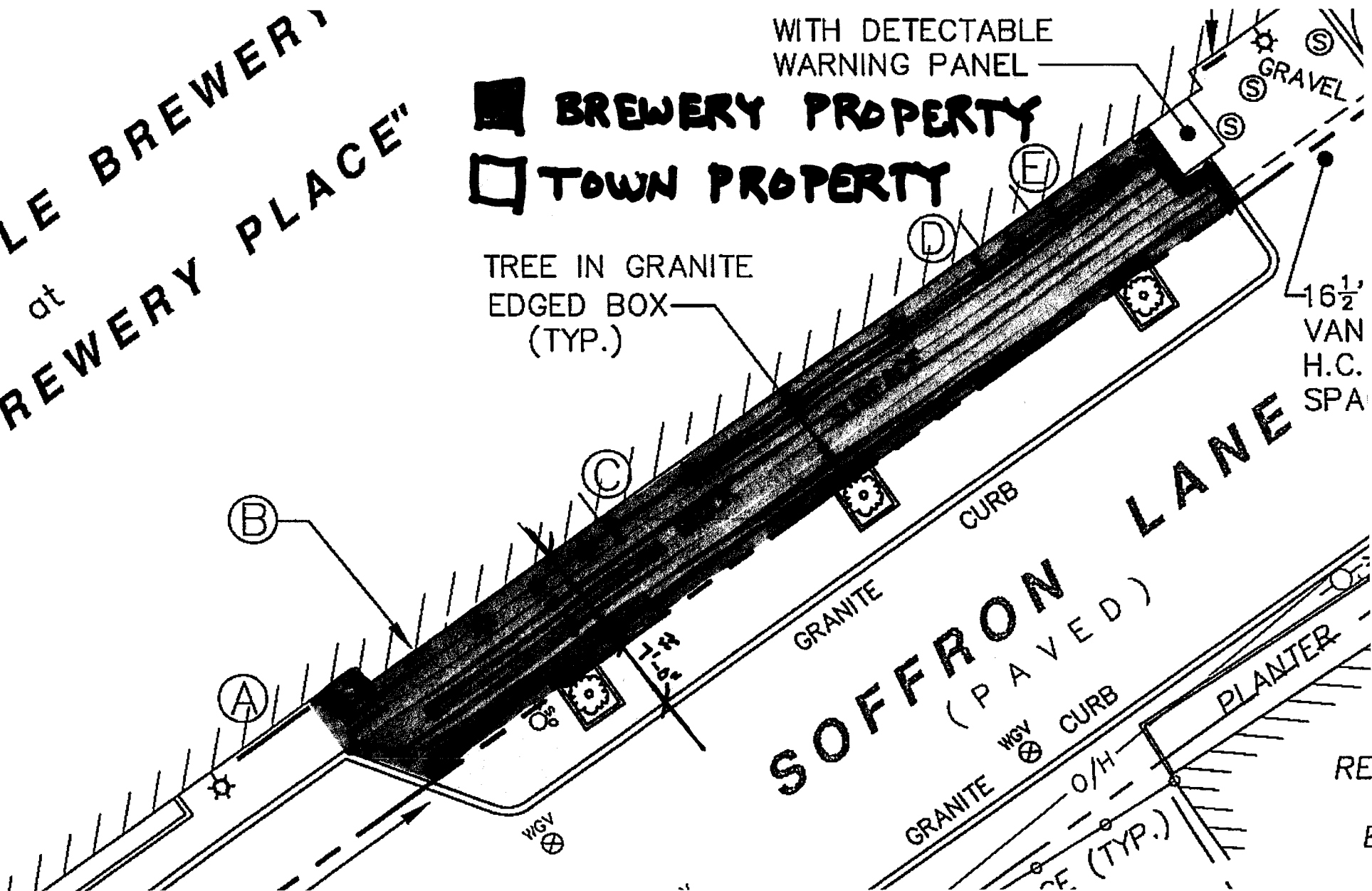
■ BREWERY PROPERTY  
□ TOWN PROPERTY

WITH DETECTABLE  
WARNING PANEL

TREE IN GRANITE  
EDGED BOX  
(TYP.)

16½'  
VAN  
H.C.  
SPA

SOFFRON LANE  
(PAVED)



ACE"

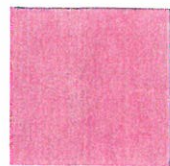


SPACE AROUND TABLES FOR CHAIRS  
SQUARE = 4 CHAIRS  
RECTANGLE = 2 CHAIRS

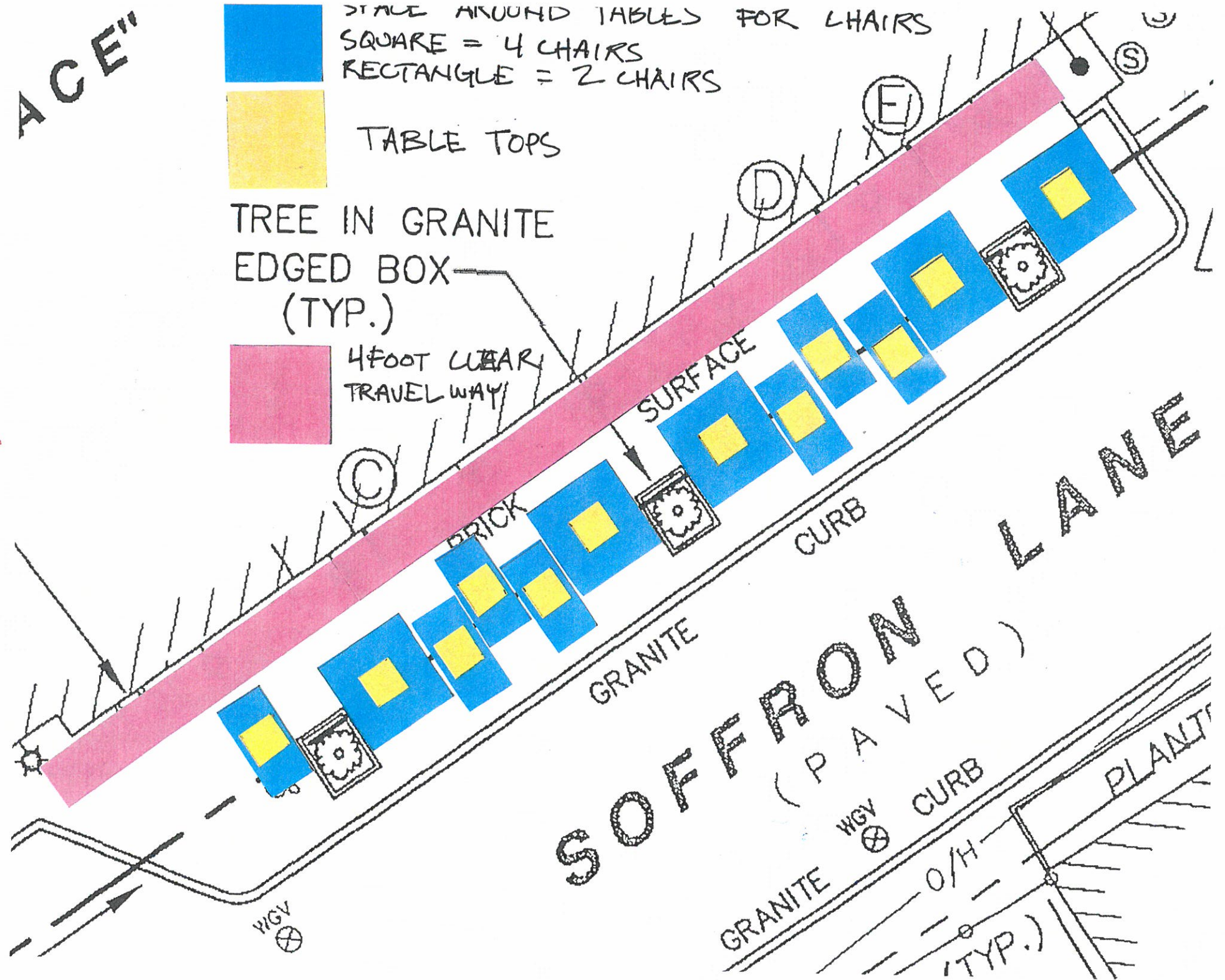


TABLE TOPS

TREE IN GRANITE  
EDGED BOX  
(TYP.)



4 FOOT WEAR  
TRAVEL WAY



**From:** [Breaker, Jennifer](#)  
**To:** [Hansen, Diane](#)  
**Subject:** FW: Request by Ipswich Brewer's Table to Submit Application for Extending Pouring Permit  
**Date:** Wednesday, March 16, 2016 1:11:42 PM

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### **Include after Rob's request in the packet**

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**From:** Gibbs, Glenn [mailto:glennng@ipswich-ma.gov]  
**Sent:** Wednesday, March 16, 2016 1:08 PM  
**To:** Breaker, Jennifer <jenniferb@ipswich-ma.gov>  
**Cc:** Crosbie, Robin <robinc@ipswich-ma.gov>  
**Subject:** Request by Ipswich Brewer's Table to Submit Application for Extending Pouring Permit

Selectmen:

On March 21<sup>st</sup> the Ipswich Ale Brewery will ask you for the opportunity to formally request that you extend its current pouring permit for the Ipswich Brewer's Table restaurant so they may use a portion of the sidewalk in front of the restaurant for seasonal outdoor dining. I am writing to express my support for their request.

As you know, the Ipswich Brewer's Table restaurant/brewpub opened for business in January. This long-awaited opening largely completes the redevelopment of the former Soffron Brothers Shellfish Company property into a thriving commercial/industrial operation, featuring the brewery, professional offices, and the brewpub.

Although the brewpub is off to a good start, restaurant patrons are fickle, and thus it's critical that the Brewer's Table have the ability to respond to the interests of its customers, one of which is al fresco dining. The owners of the Brewery had the foresight to create a suitable and attractive outdoor space directly in front of the brewpub that will provide an appealing dining atmosphere. It has also been designed in a manner that allows seating to be placed on the sidewalk while maintaining unencumbered access to the building, for the physically able and the disabled alike, and affords a clear, safe separation between sidewalk users and Soffron Lane itself.

Why should the Town care if the Brewer's Table is successful? The reasons are multiple. Healthy businesses contribute to the tax base, draw people into town not only to partake of their services but of other businesses as well. Successful brew pubs, like those in downtown Portsmouth, have a regional draw, which expands the size and the demographic of those who visit the community. The Brewer's Table has already established itself as an important component of the burgeoning "niche" of businesses catering to the provision of food and drink, including the manufacture of beer, rum, and mead. Later this year, the True North Ale Company, in conjunction with the Turkey Shore Distillery, plan to establish a new building and brewery operation at the former Chevy dealership property on County Road.

The benefits of outdoor seating at the Brewer's Table extend well beyond the business itself. One of the findings of the Ipswich Downtown Retail Assessment, prepared by economic development consultant Peg Barringer and accepted by the Town in 2014, was that "There is no outdoor dining available in the downtown. Outdoor dining adds a great deal of vitality and curb appeal to a district." To address this deficiency, the Assessment recommends that the

Town “Facilitate the creation of outdoor dining, patios, and sidewalk sitting areas.” By approving the Brewery’s request, the Selectmen will be acting in accordance with the Downtown Retail Assessment.

To the extent that you may have concerns about the consumption of food and alcohol on property owned by the Town, I offer the following comment:

The sidewalk between the front of the brewpub and the curb at Soffron Lane is approximately 12 feet in width. The first four feet of the sidewalk as it extends from the building along its entire front facade satisfies handicapped accessibility requirements at either end of the sidewalk, as well as along its entire length. All of this sidewalk area is owned by the owner of the Ipswich Ale Brewery, except for the outer four feet of the sidewalk in front of the brewpub, which is located within the public right-of-way. However, a recently executed license agreement between the Town and the Brewery owner gives the latter rights to that portion of the sidewalk, on the condition that the Brewery maintain it and indemnify the Town from “any and all liability related to any defect in the construction or maintenance of the of the improvements.” To that end, the Brewery has specifically named the Town on its certificate of liability insurance.

Although the Brewery could conceivably locate all of its tables within the eight feet of sidewalk under its ownership without encroaching on the four foot wide portion for pedestrian traffic, doing so would constrain the Brewery from laying out the tables in the most efficient and user friendly manner. Given that the separation of the sidewalk and the street is achieved by a six inch curb, whether or not a dining table or some part thereof is located within the public right of way is, on a practical basis, relatively meaningless. Thus, I would encourage the Selectmen not to prohibit any use of the Town-owned portion sidewalk for dining purposes, but rather address any concerns you might have by placing conditions on its use by the Brewery.

Thank you for this opportunity to comment.

Glenn

Glenn C Gibbs  
Director of Planning & Development  
Town Hall  
25 Green Street  
Ipswich, MA 01938  
978-356-6607, ext. 1  
978-356-6682 (fax)  
[glenng@ipswich-ma.gov](mailto:glenng@ipswich-ma.gov)



**From:** [Breaker, Jennifer](#)  
**To:** [Hansen, Diane](#)  
**Subject:** FW: Pouring Permit Extension  
**Date:** Wednesday, March 16, 2016 1:12:47 PM  
**Attachments:** [image001.png](#)

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## Include after Glenn's comments

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**From:** Gagnon, Chief Gregory [mailto:[gregoryg@ipswichfire.org](mailto:gregoryg@ipswichfire.org)]  
**Sent:** Friday, February 26, 2016 8:47 AM  
**To:** 'Breaker, Jennifer' <[jenniferb@ipswich-ma.gov](mailto:jenniferb@ipswich-ma.gov)>  
**Subject:** RE: Pouring Permit Extension

Jen,

I have no issue with the concept. I am assuming there will be some type of railing to separate the diners from foot traffic. Proper openings of the railing system will need to be maintained in this area as to not impede exits and egress from the building to allow a free path of travel. I do not see the fire department sprinkler connection on the plan but I believe it is within the requested seating area. The connection will need to be kept free and clear of obstructions.

Gregory G. Gagnon  
Chief of Department  
Ipswich Fire Department  
55 Central Street  
Ipswich, MA 01938  
978-356-6627

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**From:** Breaker, Jennifer [mailto:[jenniferb@ipswich-ma.gov](mailto:jenniferb@ipswich-ma.gov)]  
**Sent:** Wednesday, February 24, 2016 11:33 AM  
**To:** "Rick Clarke" <[rickc@ipswich-ma.gov](mailto:rickc@ipswich-ma.gov)>; 'Frank Ventimiglia' <[frankv@ipswich-ma.gov](mailto:frankv@ipswich-ma.gov)>; Torra, Anthony <[anthonyt@ipswich-ma.gov](mailto:anthonyt@ipswich-ma.gov)>; 'Fermon, Colleen' <[colleenf@ipswich-ma.gov](mailto:colleenf@ipswich-ma.gov)>; 'Carakatsane, Pamela Z.' <[pamc@ipswich-ma.gov](mailto:pamc@ipswich-ma.gov)>; 'Nikas, Paul' <[p2nikas@ipswichpolice.org](mailto:p2nikas@ipswichpolice.org)>; 'Gregory Gagnon' <[gregoryg@ipswichfire.org](mailto:gregoryg@ipswichfire.org)>; 'Gibbs, Glenn' <[glenng@ipswich-ma.gov](mailto:glenng@ipswich-ma.gov)>  
**Cc:** 'Crosbie, Robin' <[robinc@ipswich-ma.gov](mailto:robinc@ipswich-ma.gov)>  
**Subject:** FW: Pouring Permit Extension

All:

Attached is a request from the Ipswich Brewery to extend seating outdoors. This request will go before the Board of Selectmen at their March 21 meeting. please review the request and provide written feedback, requirements, comments, questions, etc. to me by March 9, 2016.

Thank you,

Jen

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**From:** Rob Martin [<mailto:rob@ipswichalebrewery.com>]

**Sent:** Friday, February 19, 2016 11:32 AM

**To:** Breaker, Jennifer <[jenniferb@ipswich-ma.gov](mailto:jenniferb@ipswich-ma.gov)>; Gibbs, Glenn <[glenng@ipswich-ma.gov](mailto:glenng@ipswich-ma.gov)>

**Subject:** Pouring Permit Extension

Hi Jen,

Please find the letter to the Selectmen regarding the extension of our pouring permit to encompass the brick sidewalk outside of the brewery. Please let me know the next steps.

Have a great weekend.

Rob



**Ipswich Ale Brewery**

**Rob Martin**

**President**

**Rob@ipswichalebrewery.com**

**Brewery: 978-336-3329**

**TOWN OF IPSWICH  
LEGAL NOTICE**

Residents of the Town of Ipswich please note the Board of Selectmen will hold a public hearing in the Selectmen's Meeting Room of the Town Hall on Monday, March 21, 2016 at 7:35 PM relative to the Warrant for the Annual Town Meeting to be held on Tuesday, May 10, 2016.

Board of Selectmen  
Nishan D. Mootafian, Chair

NW/CN13398506

☐ **PROOF O.K. BY:** \_\_\_\_\_ ☐ **O.K. WITH CORRECTIONS BY:** \_\_\_\_\_

**PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE**

**NW-CN13398506 (100%)**

ADVERTISER: IPSWICH TOWN MANAGER

PROOF CREATED AT: 2/29/2016 2:24:59 PM

SALES PERSON: NWON01

NEXT RUN DATE: 03/03/16

SIZE: 1.694X3

PROOF DUE: 03/02/16 04:59:55

PUBLICATION: NW-IPSWICH CH



Town of Ipswich  
Annual Town Meeting  
Tuesday – May 10, 2016 – 7:00 PM  
**WARRANT**

ESSEX, ss

To the Constable of the Town of Ipswich in said County:

**GREETINGS:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Ipswich qualified to vote in Town affairs to meet in the Performing Arts Center of the IPSWICH MIDDLE SCHOOL/HIGH SCHOOL, 134 High Street in said Ipswich, on TUESDAY, THE TENTH DAY OF MAY, 2016, at 7:00 o'clock in the evening, then and there to act on the following articles, viz:

**ARTICLE 1 – Consent Calendar**

Requested By: Board of Selectmen

To see if the Town will vote:

- (1) To fix the annual salary and compensation of all elected Town Officers as follows: Town Moderator: \$250.00; Board of Selectmen: member \$750.00; Chairperson \$1,000.00; School Committee: member \$ 200.00;
- (2) To transfer the sum of \$325,000 as a payment-in-lieu of taxes from the Electric Light Department;
- (3) To hear reports from the Commuter Rail Committee, the Hall-Haskell Committee, and the Open Space & Recreation Committee, and to continue these as standing committees of Town Meeting;
- (4) To authorize the Board of Selectmen to temporarily appoint a member of said Board as Acting Town Manager for a limited period of time not to exceed the date of the 2017 Annual Town Meeting for purposes of vacation, leave, or absence in accordance with M.G.L. Chapter 268A, Sections 20 and 21A;
- (5) To authorize and/or re-authorize for FY 2017 the following revolving funds established under M.G.L. Chapter 44, Section 53E½:
  - a. a Department of Public Safety revolving fund, the use of said fund to pay for the operation and maintenance of the Town Wharf, and to determine that no more than \$10,000 may be expended by the Department of Public Safety from such funds transferred into said fund during FY 2017. (Source of funds: Launching Fees);
  - b. a Department of Public Works revolving fund, the use of said fund to finance approved beautification projects and related expenses, and to determine that no more than \$5,000 may be expended by the Department of Public Works from such funds transferred into said fund during FY 2017. (Source of funds: Sale of wood from the grand elm tree);
  - c. a Department of Public Health revolving fund, to be funded through reimbursements from Medicare Part B, Medicare Senior Advantage Plans and other insurance plans for the administration of influenza and pneumococcal vaccines to be used to finance part-time wages and pay related expenditures such as the cost of vaccine, medical supplies, and other administrative costs, and to determine that no more than \$5,000 may be expended by the Public Health Department from monies transferred into said fund during FY 2017. (Source of funds: Medicare Part B, Medicare Senior Advantage Plans and other insurance plans);
  - d. a Department of Public Health revolving fund, the use of said fund to finance additional part-time help for Housing sanitary code investigations and compliance and to pay related expenses, and to determine that no more than \$7,000 may be expended by the Health Department from such funds transferred into said fund during FY 2017 (Source of funds: Housing Code inspection fees);
  - e. a Department of Public Health revolving fund, the use of said fund to finance part-time food inspectional and review services and pay related expenditures, and to determine that no more than \$22,000 may be expended by the Department of Public Health from monies transferred into said fund during in FY 2017. (Source of funds: food establishment permit fees, food establishment re-inspection fees and food establishment plan review fees);
  - f. a Council on Aging revolving fund, the use of said fund to pay for special activities, expendable supplies and/or part-time wages, and to determine that no more than \$100,000 may be expended by the Council on Aging from monies transferred into said fund during FY 2017 (Source of funds: fees contributed by seniors participating in special activities);

- g. a Historical Commission revolving fund, the use of said fund to pay for preservation of Town records and to purchase expendable supplies, and to determine that no more than \$5,000 may be expended by the Historical Commission from monies transferred into said fund during FY 2017 (Source of funds: sale of publications);
- h. a Facilities Department revolving fund to pay for custodial services and other expenses associated with the use of the gymnasium and other Town Hall facilities by outside organizations or for special events sponsored by municipal departments; and to determine that no more than \$20,000 may be expended from the Facilities Department revolving fund from monies transferred into said fund during FY 2017 (Source of funds: user fees); and
- i. a Shellfish Department revolving fund, said funds to be used for enhancements to the shellfish resources of the Town, and to determine that no more than \$15,000 may be expended by the Shellfish Commissioners from monies transferred into said fund during any given fiscal year (Source of funds: surcharge on commercial shellfish licenses), or to take any other action relative thereto.

*Summary:*

1. *This item sets the annual salaries for all elected officials as presented in the Town's operating budget.*
2. *This item authorizes payment-in-lieu-of-taxes of \$325,000 to the Town from available funds in the Electric Light Department.*
3. *This item provides an opportunity for standing committees of town meeting to report.*
4. *In accordance with Massachusetts General Laws, this item authorizes the Board of Selectmen to appoint an Acting Town Manager from among its members during vacation or leave of absence of the Town Manager with the exemption from the state conflict-of-interest law.*
5. *This item authorizes certain revolving funds under the terms of M.G.L., Chapter 44, Section 53 E ½. Fees collected by departments under this article are deposited into special, revolving accounts that are separate from the General Fund of the Town. Revolving fund monies must be expended for purposes directly related to the mission of their respective departments.*

*This requires a simple majority vote.*

*Recommended by*

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**ARTICLE 2 – Finance Committee Election**

Requested By: Board of Selectmen

To see if the Town will vote to appoint one [1] member of the Finance Committee for three [3] years, or to take any action relative thereto.

*Summary: The article calls for the appointment of one Finance Committee member, to be appointed by the town meeting as called for in the By-Law. This requires a simple majority vote.*

*Recommended by*

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**ARTICLE 3 – Transfer of FY 2016 Appropriated Budget Funds to Educational Stabilization Fund**

Requested By: School Committee

To see if the Town will vote to allow the School Department to transfer available funds from FY 2016 Appropriated Budget to the Educational Stabilization Fund or take any action relative thereto.

*Summary: The School Committee believes that there are unused funds available in the FY16 Appropriation. The intent is to transfer these available funds into the Educational Stabilization Fund for use by the School Department in future years.*

*Recommended by*

#### **ARTICLE 4 – Prior Year Unpaid Bills**

Requested By: Board of Selectmen

To see if the Town will vote to pay, or transfer a sum of money from available funds, to pay unpaid bills incurred in prior years and remaining unpaid; or take any other action relative thereto.

*Summary: This article allows the Town to pay unpaid bills that were incurred in prior years which remain unpaid. This requires a 4/5 majority vote.*

*Recommended by*

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#### **ARTICLE 5 – FY 2016 Municipal Budget Amendments**

Requested By: Board of Selectmen

To see if the Town will vote to amend the Town's action taken under Article 8 of the May 12, 2015 Annual Town Meeting (FY 2016 Municipal Operating Budget) by transferring sums between departments or from available funds; or to take any other action relative thereto.

*Summary: This article allows the town to cover unanticipated expenses in Fiscal Year 2016 through transfers among departments or from available funds. As of the date of the warrant approval, it is unknown what transfers will be necessary. Transfers are necessary this year to cover deficit in the snow and ice removal budget. For use of Free Cash, a simple majority vote is required; for use of Stabilization Fund, a 2/3 vote is required.*

*Recommended by*

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#### **ARTICLE 6 – FY 2017 Municipal Budget**

Requested By: Board of Selectmen

To see if the Town will vote to hear and act upon the reports of the Board of Selectmen and Finance Committee relative to the Fiscal 2017 municipal budget, and to raise, appropriate, transfer money from available funds, and change the purpose of the unexpended balances of prior appropriations, all to be used for the ensuing year's operations, including the compensation of elected Town officers, and to authorize the Town to enter into lease-purchase contracts for equipment having a term of five years or less; or to take any other action relative thereto.

*Summary: An annual operating budget must be adopted and funded for Fiscal Year 2017 which begins July 1, 2016. A budget was adopted by the Board of Selectmen and submitted to the Finance Committee as required under the Town Charter and general by-laws. Detailed budget information is available on the town website [www.ipswichma.gov](http://www.ipswichma.gov). This requires a simple majority vote.*

*Recommended by*

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#### **ARTICLE 7 – FY 2017 School Budget**

Requested By: School Committee

To see if the Town will vote to hear and act upon the reports of the School Committee and Finance Committee relative to the Fiscal Year 2017 School Department budget and to raise, appropriate, transfer money from available funds, and change the purpose of the unexpended balances of prior appropriations, all to be used for the ensuing year's operations and debt service, including entering into lease-purchase agreements having a term of five years or less for a school bus and/or for other purposes; and to act upon a request to reauthorize existing revolving funds pursuant to state law; or to take any other action relative thereto.

*Summary: This article funds the operating and debt costs for the school department in Fiscal Year 2017. This requires a simple majority vote.*

*Recommended by*

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**ARTICLE 8 – Chapter 90**

Requested By: Board of Selectmen

To see if the Town will vote to appropriate a sum of \$444,066, or a greater or lesser sum, from the state for highway improvements under the authority M.G.L. Chapter 90, or any such applicable laws, and to authorize the Board of Selectmen, if necessary, to apply for, accept and borrow in anticipation of state aid for such projects, or to take any action relative thereto.

*Summary The state annually allocates to the Town a sum of money to be spent on Town roads. The amount must be appropriated by town meeting. The Town spends the money first and is reimbursed by the state upon completion of the project. Amount is unknown at time of setting the warrant, but is generally expected to be the same as the prior year. This requires a 2/3 vote in case of borrowing.*

Recommended by

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**ARTICLE 9 – FY 2017 Whittier Regional High School Budget**

Requested By: Russ Bardsley, Whittier RVTHS Representative

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$650,000 to cover the Town's share of the ensuing year's annual operating and debt service expenses of the Whittier Regional Vocational Technical High School; or to take any other action relative thereto.

*Summary: This article allows the Town to appropriate the Town's share of the Fiscal Year 2017 annual operating budget for the Whittier Regional Vocational Technical High School District. The numbers may change after the posting of this warrant or in the fall. This requires a simple majority vote.*

Recommended by

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**ARTICLE 10 – FY 2017 Essex County Technical Institute Budget**

Requested By: Board of Selectmen

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$430,000 to cover the Town's share of the ensuing year's annual operating and debt service expenses of the Essex County Technical Institute; or to take any other action relative thereto.

*Summary: This article allows the Town to appropriate Town's share of the Fiscal Year 2017 annual operating budget for the Essex County Technical Institute. These numbers are subject to change after the posting of this warrant or in the fall when final numbers are known. This requires a simple majority vote.*

Recommended by

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**ARTICLE 11 – Transfer \$15,555.00 from Free Cash to the Waterways Improvement Fund**

Requested By: Police Chief

To see if the Town will vote to transfer \$15,555.00 from the Free Cash account into the Waterways Improvement Fund, or take any action relative thereto.

*Summary: In April of 2014 the Town sold the old Harbormaster's patrol boat at auction for \$15,555.00. The old Harbormaster's patrol boat purchase was completely funded through the Waterways Improvement Fund, which receives its revenue from fees associated with the Ipswich waterways. The new Harbormaster's patrol boat was also funded through the Waterways Improvement Fund but without the trade-in value of the old boat because the Town received better value at auction. This value (cash) should be returned to its original source, since it represents a cash asset to the Waterways account.*

Recommended by

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## ARTICLE 12 – Annual Capital Plan

Requested By: Town Manager

To see if the Town will vote to transfer from Free Cash the sum of \$ 857,801 for the following purposes, and that any remaining funds be transferred to the Capital Stabilization Fund:

### IT:

Computer Equipment	\$13,000
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### Facilities:

Payne Building – Carpet Replacement	\$15,000
Winthrop – Paging, clock & bell system	\$17,000
Doyon – Paging, clock & bell system	\$17,000
Middle/High Schools –	
Replace Chiller	\$150,000
Replace Carpet Phase 2 of 2	\$40,000

### Town Hall –

Replace carpet – last phase	\$36,000
Library – Exterior Stairs	\$20,000
Police Station – Replace Carpet	\$15,000
Central Fire Station – Generator	\$48,000
Public Works Garage-	
Install wash bay	\$105,000
Replace Overhead Doors Phase 1 of 2	\$24,000

### Equipment:

DPW – Loader Year 3 of 5	\$34,605
DPW – Dump Truck with Plow Year 3 of 5	\$36,567
DPW – Dump Truck Year 2 of 5	\$35,108
DPW - Dump Truck Year 1 of 5	\$29,500
Fire – Replace Inspection Vehicle	\$50,000
Fire – Set aside for pumper replacement	\$99,000
Fire – Set aside for SCBA replacement	\$30,000
Police- Replace Firearms	\$20,000
Replace Radio Antennae	\$15,000
Security Camera System	\$15,000
Replace Animal Control Vehicle	\$25,000

### Economic Development:

Wayfinding Signs Year 2 of 3	\$29,100
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And to see if the Town will vote to transfer from the Waterways Funds the sum of \$87,000 for the following purposes:

### Waterways Fund:

Replace Pump-out Boat	\$25,000
Replace Work Boat Engine	\$15,000
Purchase 2 Fire Pumps for Public Safety Boats	\$12,000
Replace Pick-up Truck	\$35,000

And to see if the Town will vote to transfer from Free Cash the sum of \$35,000 to paint classrooms in the High School (phase 2 of 2),

Or to take any action relative thereto.

*Summary: A five year capital plan has been developed with the input from all town departments and the schools. The list above represents the highest priorities for the coming year. This requires a 2/3 majority vote to transfer funds to the Capital Stabilization Fund.*

*Recommended by*

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**ARTICLE 13 – Infrastructure Improvements to Brown Square/Soffron Lane**

Requested By: Planning & Community Development

To see if the Town will vote to transfer, from free cash to the Department of Public Works, the sum of \$83,550, to undertake certain infrastructure improvements at Soffron Lane, Brewery Place, and Brown Square, including the installation of a sidewalk and street reclamation and repaving within the right-of-way of the northeasterly leg of Brown Square, and the installation of a top course of pavement within the right-of-way of Brewery Place and Soffron Lane; or to take any other action relative thereto.

*Summary: The October 2008 Special Town Meeting authorized the Selectmen to enter into a Tax Increment Financing Agreement with Mercury Brewing, a long-time Ipswich beverage manufacturer which earlier in 2008 had announced plans to relocate its operation to the former Soffron Brothers building at 2 Soffron Lane. The Agreement, which provided six years of local tax relief from the additional tax burden generated by a \$1.5 million capital investment in the property, required Mercury Brewing (now the Ipswich Ale “Brewery”), to retain 12 full-time and six part-time jobs, add nine full-time and seven part-time jobs by 2014, undertake efforts to hire Ipswich residents, and to undertake or subsidize certain infrastructure improvements on or near Soffron Lane. (i.e., pave Soffron Lane and contribute \$13,250 toward the cost of the Town installing a sidewalk on the northeasterly leg of Brown’s Square.)*

*The local tax relief, which was slated to begin in FY10, was not initiated due to an internal oversight. When the oversight was discovered, project construction had been stalled for a couple of years due to financial issues, and thus the Town elected to defer the tax relief indefinitely. The Brewery eventually resolved its financial issues, resumed construction, and transferred its entire brewery operation to 2 Soffron Lane (now known as 2 Brewery Place) in 2013.*

*The term of the TIF Agreement expired earlier this year. Although the Brewery has exceeded the job creation requirements established in the Agreement (it currently has 33 full-time employees, ten more than its commitment), it has received no local or state tax relief. While the Town and the Brewery could potentially modify the Agreement to provide local tax relief for the Brewery, after discussion between the parties and with the state, it was agreed that the best way to move forward was to simply terminate the Agreement. This decision means that the Town will not need to provide what would have been \$39,679 in local tax relief. The termination also releases the Brewery from its requirement to put a final course of pavement on Brewery Place/Soffron Lane (estimated cost: \$14,100), and to contribute \$13,250 toward the construction of a sidewalk on Brown’s Square, for a total cost of \$27,350. However, because the abandonment of the Agreement also eliminates what would have been nearly \$40,000 in tax relief, it results in a negative financial outcome to the Brewery of about \$12,500, while the Town’s achieves a positive financial outcome in the same amount.*

*In addition to the \$14,100 cost of doing a pavement overlay of Soffron Lane and Brewery Place, the DPW estimates that constructing a sidewalk on one leg of Brown Square will cost \$30,350, and the reclamation and repaving of that portion of the Square will cost \$39,100, for a total estimated cost of \$83,550. The proposed article seeks to transfer this amount from free cash and transfer it to the DPW.*

*The Brewery’s decision to remain in Ipswich and ultimately to invest more than \$2 million in the restoration of a long vacant industrial building in the center of Ipswich is of substantial economic benefit to the Town. It is thus appropriate to support that investment, as well as facilitate further investment in the Brown Square neighborhood, by ensuring that the public infrastructure in that area is sufficient.*

*Recommended by*

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**ARTICLE 14 – OPEB**

Requested By: Board of Selectmen

To see if the Town will vote to transfer from Free Cash the sum of \$150,000 to the special Other Post-Employment Benefits account (OPEB) as established under M.G.L., Chapter 32B, Section 20, or to take any other action relative thereto.

*Summary: The Town is setting aside funds toward payment of future insurance benefits for retirees of approximately \$2.69 million. By contributing regularly to the OPEB account, the Town reduces its future liabilities. The overall liability as a percent of payroll decreased from 147% as of July 1, 2013 to 119.4% as of July 1, 2015.*

*Recommended by*

**ARTICLE 15 – Creation of an Artificial Turf Field Stabilization Fund**

Requested By: Town Manager

To see if the Town will vote to establish an Artificial Turf Stabilization Fund pursuant to Chapter 40, Section 5B of the Massachusetts General Laws for the purpose of funding repairs and refurbishment of the School Department Artificial Turf Field, or take any action relative thereto.

*Summary: This article creates a fund in which to set aside up to \$30,000 in annual revenues from the use of the artificial turf field to fund future repair and refurbishment of the field. Establishment of a special purpose stabilization fund requires a 2/3 vote.*

*Recommended by*

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**ARTICLE 16 – Open Space – Reduce Bond Authorization by \$1 million**

Requested By: Board of Selectmen

To see if the Town will vote to reduce the bond appropriation under subsection (a) of Article 19 of the May 10, 2011 annual town meeting from \$15,000,000 to \$14,000,000, and to reduce the authorization to borrow the additional sum from \$5,000,000 to \$4,000,000, or take any action relative thereto.

*Summary: This article would reduce the town's financial commitment to acquisition of open space. To date, none of the Open Space funds have been used to procure athletic fields in accordance with the commitment in Article 19 of the May 10, 2011.*

*Recommended by*

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**ARTICLE 17 – Enterprise Fund GL 44 s. 53F1/2 for Sanitation, Solid Waste and Recycling** Requested By: Town Manager & Recycling Committee

To see if the Town will accept the provisions of Chapter 44, section 53F1/2 of the Massachusetts General Laws establishing a sanitation, solid waste and recycling as an enterprise fund effective July 1, 2017 or take any action relative thereto.

*Summary: Revenues from solid waste and recycling programs would be retained in this fund to support these operations and offset costs to the general fund for these activities.*

*Recommended by*

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**ARTICLE 18 – Obstruction of Sidewalks by Brush, Debris, Landscaping – Amend Bylaw** Requested By: Town Manager

To see if the Town will vote to amend Chapter XII Section 5. Obstruction of Streets or Sidewalks by adding the following language after the word “thereof”:

; or by allowing overgrowth from trees, vegetation or brush from property under his control, up to a height of seven feet above the sidewalk”

Or take any action relative thereto.

*Summary: Overgrowth of vegetation from private yards impairs access and use of sidewalks by the public. This amendment would ensure property owners understand their responsibility to keep vegetation from obstructing the sidewalk, add offer the Town an enforcement mechanism.*

*Recommended by*

## ARTICLE 19 – Codification of Bylaws

Requested By: Town Clerk

To see if the Town will vote to amend the General Bylaws of the Town by re-ordering the existing articles and sections of the General Bylaws in accordance with the “Conversion Table for the Proposed Reorganization of the General Bylaws of the Town of Ipswich, Massachusetts” appended to this Warrant, and by making the following revisions, all as included and reflected in the document entitled “Final Draft of the Code of the Town of Ipswich” dated February, 2016 on file in the Town Clerk’s office (“the Draft Code”):

- A. Adopting the uniform numbering system for the subsections of the General Bylaws (e.g., the first section of Chapter 35 becomes “§ 35-1”);
- B. Amending the internal cross-references to conform to the new organization and numbering format reflected in the Draft Code;
- C. Standardizing all statutory citations to the General Laws of Massachusetts in the General Bylaws to conform to the format “ MGL c. \_\_\_, § \_\_\_;”
- D. Standardizing all references to “town,” where referring to the Town of Ipswich, to “Town;” and
- E. Standardizing all references to “By-law” or “by-law” to “Bylaw;”

And to see if the Town will vote to amend the General Bylaws by inserting the following new § 5-4:

### § 5-4: Headings and Numbering; Authority for Town Clerk to Assign Alphanumeric References and Correct Internal Cross-References.

The headings and section numbers that appear in this Bylaw are for convenience only and shall not be interpreted to limit or otherwise affect the provisions of article or section to which they refer. With the approval of the Town Manager, the Town Clerk may assign appropriate alphanumeric references to chapters, articles, sections, subsections, paragraphs, and subparagraphs of the General Bylaws, and may correct internal cross-references, and, in each case, the assignment of such references or the making of such corrections shall be identified by a footnote or functionally similar editorial convention.

or take any other action relative thereto.

*Summary: This allows the Town to reorganize and renumber the General By-laws to make them easier to search; amendment or repeal of Bylaws; authority for Town Clerk to assign appropriate alphanumeric references and make corrections.*

*Recommended by*

## ARTICLE 20 – Amend Animal Control Bylaws

Requested By: Animal Control

To see if the Town will vote to amend the following Section under;

To see if the Town will vote to amend the General Bylaws of the Town of Ipswich, as amended under Articles 19 and 20 of this Town Meeting, as follows: of following Section under;

### Chapter 109: Animals

Article II: Dogs by deleting language (~~strikeout~~) and replacing with language (**bold**) in the following subsections, to read as follows:

#### **§ 109-6. Dog Fouling.**

E. Penalties for Violation. ~~An Initial violation of this subsection (c) shall be punished by a written warning, the calendar year notwithstanding. After issuance of said warning, subsequent violations shall be punished by a fine ten (\$10.00) dollars for the first such offense in any calendar year—a fine of twenty five (\$25.00) dollars for a second such offense in any calendar year; and a fine of fifty (\$50.00) dollars for any third or subsequent such offense in any calendar year.~~ **Violations shall be punished by a fine of ten (\$10.00) dollars for the first such offense in any calendar year; a fine of twenty-five (\$25.00) dollars for the second such offense in any calendar year; and a fine of fifty (\$50.00) dollars for any third or subsequent offense in any calendar year.**

#### **§ 109-8. Calls to Confine and Impounding**



1. ~~Upon a second and any subsequent call to domesticated animals (except dogs), the Animal Control Officer, or any other officer authorized to enforce this By-law, shall assess charges of \$50.00 per such call.~~ **Upon calls to domesticated animals (except dogs), the Animal Control Officer, or any other officer authorized to enforce this by-law shall assess a charge of (\$50.00) fifty dollars per call.**
2. ~~A person who owns or keeps a dog within the territorial limits of the Town of Ipswich, whose dog was picked up and impounded at the Town Dog Pound, shall be charged a pick-up fee of \$10.00, in addition to boarding fees charged in accordance with the General Laws.~~ **A person who owns or keeps a dog within the territorial limits of the Town of Ipswich, whose dog was picked up and impounded at the Town Animal Shelter between the hours of 8 am – 4 pm, will be charged a pick up fee of (\$10.00) ten dollars. A person who owns or keeps a dog within the territorial limits of the Town of Ipswich, whose dog was picked up and impounded at the Town Animal Shelter between the hours of 4 pm – 8 am, shall be charged a pick-up fee of (\$50.00) fifty dollars. If a dog remains impounded beyond 24 hours, a daily impound fee of (\$40.00) forty dollars will be assessed for each additional 24 hour period, or parts thereof.**

#### **§ 109-11. Penalties and Enforcement**

A. Except as otherwise provided in this Section, any violation of this Section shall be subject to the following fines:

First offense	\$10.00 fine;
Second offense	\$25.00 fine;
Third offense	\$30.00 fine; and
<del>Fourth and any subsequent offense</del>	<del>\$50.00 fine</del>
<b>Third offense and each subsequent offense</b>	<b>\$50.00 fine</b>

[No Change to Balance of Section]

*Summary: The purpose of the above recommendations is to help defer the cost of “on call” personnel who are needed to respond to animal calls for service after operational hours. Additionally, the changes in impounding fees help defer some of the cost in housing stray animals at the Shelter. The final changes in violation fines create consistency within the Animal Control bylaws, allowing improvement of enforcement and compliance, while allowing the Animal Control Officer some measure of discretion for first time offenders who are blatantly disregarding this by-law. This Animal Control by-law (dog fouling & leash requirement) have been in place for many years and no longer needs an “educational period.”*

*Recommended by*

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#### **ARTICLE 21 – Citizens Petition**

Requested By: Carolyn Britt

To see if the Town of Ipswich will vote to approve the following resolution relating to the climate crisis and the viability of Essex County Retirement System:

WHEREAS the scientific community, including the National Aeronautics and Space Administration, the National Academy of Sciences, the Environmental Protection Agency, the National Oceanic and Atmospheric Administration, and the World Meteorological Organization, has concluded that global warming, caused primarily by the burning of fossil fuels, is a serious threat to current and future generations. The effects of climate change are already causing a rise in sea levels and producing extreme weather events leading to extensive flooding, heat waves, severe drought, and major hurricanes. These and other effects are negatively

impacting agriculture, water and food supplies, road and urban infrastructure, and our health, and will become more severe in the future;

WHEREAS Ipswich, a low-lying coastal community, is significantly vulnerable to sea level rise and storms made more severe by climate change, and sea level rise and warming is already increasing expenditures to the Town to undertake projects to build up coastal infrastructure, such as Jeffrey's Neck Road, and is damaging the ability of clams to survive (<http://phys.org/news/2011-08-nations-vulnerabilities-mollusk-harvests-ocean.html#nRlv>);

WHEREAS the town-appointed Ipswich Commission on Energy Use and Climate Protection produced a Climate Action Plan in 2011 and the Ipswich Board of Selectmen voted to support the Climate Action Plan by a unanimous vote on May 2, 2011, but methodical Town-wide implementation of the Plan has yet to begin;

WHEREAS all Town citizens are responsible for the future of our children and to future residents, and should be responsible stewards of our environment by minimizing and eliminating our dependence on fossil fuels;

WHEREAS continued investment in companies doing business in coal, oil and gas production and exploration supports the fossil fuel economy and the build-up of atmospheric greenhouse gases;

WHEREAS investments in fossil fuel companies could prove highly risky and volatile given that 80% of their proven reserves could become "stranded" and unusable assets if governments act to protect the climate;

WHEREAS 91.6% of the pension funds of the Town of Ipswich and its employees, through the Essex Regional Retirement System, are invested in the MA Pension Reserve Investment Trust;

WHEREAS the MA Pension Reserve Investment Trust lost \$521 million, or 28% of its value, in FY2015 as a result of the investment in companies doing business in coal, oil, and gas production and exploration, businesses in structural decline (<http://www.trilliuminvest.com/ma-pension-fund-experiences-notable-loss-of-value-within-fossil-fuel-holdings/>);

THEREFORE be it resolved that the Town, in collaboration with the Essex Regional Retirement System, study the fiscal impact of fossil fuel investments in the overall retirement fund portfolio, and study the impact of divesting from fossil-fuel investments in the fund over the next five years;

THEREFORE be it resolved that the Town review the recommendations of the Climate Action Plan, identify those actions that have begun to be implemented, and those remaining where little or no progress has been made, and make recommendations regarding how to proceed with implementation; and

THEREFORE be it resolved that this Town Meeting hereby appoints a committee, henceforth known as the Climate Change Committee (CCC), of nine citizens of the Town of Ipswich and comprised of one member of the Board of Selectmen, one member of the Finance Committee, the Town's representative to the Essex Regional Retirement System, one member of the Planning Board, the Facilities Director, and four members of the public with knowledge and experience in the issues set forth in this article, each to be appointed by the Moderator, to study the issues set forth above and prepare and deliver a report to be included in the Finance Committee's report to the next Town Meeting.

*Summary: This article lists findings regarding the investment of the Town's pension funds and the implementations of the Town's Climate Action Plan. The article requests resolutions regarding studying the investments of pension funds, and the implementation of the Plan. It proposes a resolution to create a Climate Change Committee to undertake the review of the investments of the Town's pension funds in fossil fuels to determine if the funds are losing value and to make recommendations for changes in investment based on that review, and to review the status of recommendations of the Climate Action Plan and to recommend implementation goals for all of the Plan's recommendations.*

*Recommended by*

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## **ARTICLE 22 – Citizens Petition: Restrictions on plastic bags and expanded polystyrene containers**

Requested By: Lori Lafrance

To see if the Town will amend the General By-laws of the Town of Ipswich by adding a new chapter, entitled "Chapter XXIII. RESTRICTIONS ON PLASTIC BAGS AND EXPANDED POLYSTYRENE CONTAINERS," said chapter to read as follows:

## **SECTION 1: PLASTIC BAG RESTRICTION**

- (a) Purpose and Intent. The production and use of thin-film single-use plastic bags significantly impacts the marine and land environments of coastal communities. Their negative effects include but are not limited to the following: contributing to the death of marine animals through ingestion or entanglement; contributing to pollution of the land and sea; burdening our solid waste collection and recycling facility; clogging our storm drainage systems; and requiring the use of millions of barrels of crude oil for their manufacture. The purpose of this Section is to eliminate the usage of thin-film single-use plastic bags by all retail establishments in the Town of Ipswich.
- (b) Definitions. For purposes of this Section the following definitions shall apply:
1. "Thin-film single-use bags" shall mean bags with integral handles and a thickness of 3.0 mils or fewer that are intended to transport products purchased in a retail establishment.
  2. "Biodegradable bag" shall mean a bag that:
    - a. Contains no polymers derived from fossil fuels; and
    - b. Is intended for single-use and will decompose in a natural setting at a rate comparable to other biodegradable materials such as paper, leaves, and food waste.
  3. "Reusable bag" shall mean a bag that is specifically designed for multiple uses and is made of thick plastic, cloth, fabric or other durable materials.
  4. "Retail establishment" shall mean any business facility that sells goods directly to consumers including, but not limited to, grocery stores, pharmacies, liquor stores, "mini marts," or retail stores and vendors selling clothing, food, household or personal items.
- (c) Use Regulations.
1. Thin-film single-use bags shall not be distributed or sold from any retail establishment within the Town of Ipswich.
  2. Customers are encouraged to take their own reusable or biodegradable shopping bags to stores. Retail establishments may provide reusable or biodegradable, thick-plastic, paper, fabric, or other types of bags at no charge, or impose a fee for paper or other bags, as they so desire. Retail establishments are strongly encouraged to make reusable bags available for sale to customers at a reasonable price.
  3. Thin-plastic bags used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items or similar merchandise, typically without handles, are exempt from the provisions of this Section.
- (d) Education and Training
1. The Town shall send written notice detailing the restrictions imposed by this regulation to those retail establishments likely to be subject to this Section on or before December 31, 2016.
- (e) Administration and Enforcement.
1. This Section shall be enforced by municipal designee of the Town Manager.
  2. This Section may be enforced through any lawful means, including but not limited to non-criminal disposition pursuant to G.L. c. 40, § 21D. In the event of such disposition, and subject to the safeguards of § 21D, any retail establishment that violates any provision of this Section shall be subject to the following penalties:
    - a. Upon the first violation, the Town Manager's designee shall provide the violator with written notice of such violation and issue a written warning that any subsequent violations shall result in the imposition of a fine. The violator will then be entitled to 30 days after receipt of such notice to cure the violation before imposition of the fine.
    - b. After the 30-day period, if the violation has not been cured, the following fines shall apply:
      - i. A fine of \$50 for the first violation following receipt of the written notice referred to in subsection 2. a above; and
      - ii. A fine of \$100 for any further violation.
    - c. Each day that a retail establishment continues to distribute thin-film single-use bags shall constitute a separate violation of this Section.
    - d. Fines are cumulative and each day or portion thereof shall constitute a separate offense. If more than one violation occurs, each condition violated shall constitute a separate offense.
    - e. Whoever violates any provision of this Section shall be penalized by a complaint brought by the Town in accordance with G.L. c. 40, § 21D.
- (f) Severability and effective date.
1. If any provision of this Section is determined to be invalid for any reason, such determination shall not affect the remaining provisions of this Section.
  2. This Section shall take effect one year after its approval by the Attorney General, subject to the posting and publishing requirements of G.L. c. 40, § 32, in order to allow retail establishments to comply with these restrictions.

## **SECTION 2. EXPANDED POLYSTYRENE CONTAINER PROHIBITION**

- (a) Purpose and Intent. Expanded polystyrene food containers form a significant portion of the solid waste going into our landfills. Local landfills are running out of room; our future solid waste may need to be transported hundreds of miles to a landfill at a considerable cost. Expanded polystyrene containers are not biodegradable; once buried in a landfill they will

remain there for centuries. Polystyrene contains dangerous substances which when heated release toxic chemicals that may be carcinogenic. Eliminating expanded polystyrene food and beverage containers is in the best interest of the health and welfare of the inhabitants of the Town of Ipswich.

(b) Definitions. For purposes of this Section the following definitions shall apply:

1. "Disposable food service container" shall mean single-use disposable containers for serving or transporting prepared, ready-to-eat food or beverages, including but not limited to, take-out foods or leftovers from partially-consumed meals prepared by a food establishment. This includes, but is not limited to, plates, cups, bowls, trays, hinged or lidded containers, but does not include single-use disposable packaging for unprepared foods.
2. "Food establishment" shall mean any operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption. Any establishment requiring a permit to operate in accordance with the Ipswich Board of Health shall be considered a food establishment.
3. "Prepared food" shall mean any food or beverage prepared for consumption on the food establishment's premises, using any cooking or food preparation technique. This does not include raw uncooked meat, fish or eggs unless provided for consumption without further food preparation.
4. "Expanded polystyrene" shall mean blown polystyrene (polystyrene which has been expanded or blown into a solid foam using a gaseous blowing agent) and expanded or extruded forms, which are thermoplastic petrochemical materials using a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blown molding (extruded from polystyrene), sometimes called Styrofoam, a trademarked form of polystyrene foam.
5. "Restaurant" shall mean any establishment which serves food for consumption, whether on or off premises.
6. "Retail food establishment" shall mean any establishment which sells food for consumption off premises, including but not limited to grocery stores, theaters, and all other food service establishments not included in the definition of a "restaurant" above.
7. "Expanded Polystyrene" (EPS) shall mean any polystyrene that has been expanded or "blown" using a gaseous blowing agent into a solid foam.
8. "Polystyrene" shall mean any expanded polystyrene which is a thermoplastic petrochemical material utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded from polystyrene). The term "polystyrene" also includes clear or solid polystyrene which is known as "oriented polystyrene."

(c) Use Regulations.

1. Expanded polystyrene food or beverage disposable food service containers shall not be used to package or serve food or beverages by restaurants or retail food establishments within the Town of Ipswich. This Section shall not apply to the packaging of uncooked meat, poultry, or fish.

(d) Education and Training.

1. The Town shall send written notice detailing the restrictions imposed by this regulation to those retail establishments likely to be subject to this Section on or before December 31, 2016.

(e) Administration and Enforcement.

1. This Section shall be enforced by municipal designee of the Town Manager.
2. This Section may be enforced through any lawful means, including but not limited to non-criminal disposition pursuant to G.L. c. 40, § 21D. In the event of such disposition, and subject to the safeguards of § 21D, any retail establishment that violates any provision of this Section shall be subject to the following penalties:
  - a. Upon the first violation, the designee of the Ipswich Town Manager shall provide the violator with written notice of such violation and issue a warning that any subsequent violations shall result in the imposition of a monetary penalty. The violator will then be entitled to 30 days after receipt of such notice to cure the violation before receiving a penalty.
  - b. After the 30-day period, if the violation has not been cured, the following penalties shall apply:
    - i. A fine of \$50 for the first violations following the issuance of a written notice referred to in sub-section 2. a above; and
    - ii. A fine of \$100 for any further violation.
  - c. Each day that a retail establishment continues to distribute Expanded Polystyrene food or beverage disposable food service containers shall constitute an individual violation of this Section.
3. Fines are cumulative and each day or portion thereof shall constitute a separate offense. If more than one offense occurs, each condition violated shall constitute a separate offense.
4. Whoever violates any provision of this Section may be penalized by a complaint brought by the Town of Ipswich in the District Court Department of the Trial Court of the Commonwealth.

(f) Severability and effective date.

1. If any provision of this Section is determined to be invalid for any reason, such determination shall not affect the remaining provisions of this Section.

2. This Section shall take effect one year after its approval by the Attorney General, subject to the posting and publishing requirements of G.L. c. 40, § 32, in order to allow retail establishments to comply with these restrictions.

*Summary: This Article proposes a two-part by-law for the Town of Ipswich. It would become effective one year after approval by the Attorney General.*

*The first part would ban the use of thin-film single-use plastic bags and the second part would ban the use of certain Styrofoam containers.*

Requested By: Lori LaFrance

*Recommended by*

---

## **ARTICLE 23 – Citizens Petition**

Requested By: KelleyJane Kloub

To see if the Town will vote to amend The General By-Laws of the Town of Ipswich, Chapter II, Section 1 (a), “Annual Town Meeting” to replace:

The Annual Town Meeting of the Town shall be held on the second Tuesday of the month of May and at a time as specified by the Board of Selectmen in the warrant; and all business, except the election of such officers and the determination of such matters as by law or by this chapter are required to be elected or determined by ballot, shall be considered at that meeting or at an adjournment thereof to another day.

with:

“The Annual Town Meeting of the Town shall be held on the **second Saturday** of the month of May and at a time as specified by the Board of Selectmen in the warrant; and all business, except the election of such officers and the determination of such matters as by law or by this chapter are required to be elected or determined by ballot, shall be considered at that meeting or at an adjournment thereof to another day.

*Recommended by*

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## **ARTICLE 24 – Citizens Petition**

Requested By: KelleyJane Kloub

To see if the Town will vote to amend The General By-Laws of the Town of Ipswich, Chapter II, Section 1 (a), “Special Town Meeting” to replace:

Section 2. Special Town Meetings (a) The balloting on all appropriations arising at a Special Town Meeting , the adoption of which is required by the provisions of Section 6 of this chapter to be by printed ballot, shall be conducted in accordance with the provisions of Section 6 not less than eight (8) nor more than fifteen (15) days after the said meeting, and the said meeting shall adjourn to such date as is determined for the purpose of balloting. The hours during which the polls shall be kept open for such balloting may be designated by the meeting.(1937: c. III, s. 3, amended by vote of Town Meeting March 6, 1972; approved by the Attorney General May 15, 1972) (Amended by vote of Town Meeting on April 1, 1991, approved by the Attorney General July 16, 1991; Amended by vote of Special Town Meeting on October 19 1998, approved by the Attorney General February 17, 1999

With:

Section 2. Special Town Meetings (a) The balloting on all appropriations arising at a Special Town Meeting , the adoption of which is required by the provisions of Section 6 of this chapter to be by printed ballot, shall be conducted in accordance with the provisions of Section 6 not less than eight (8) nor more than fifteen (15) days after the said meeting, and the said meeting **shall be held on a Saturday** and adjourn to such date as is determined for the purpose of balloting. The hours during which the polls shall be kept open for such balloting may be designated by the meeting.(1937: c. III, s. 3, amended by vote of Town Meeting March 6, 1972; approved by the Attorney General May 15, 1972) (Amended by vote of Town Meeting on April 1, 1991, approved by the Attorney General July 16, 1991; Amended by vote of Special Town Meeting on October 19 1998, approved by the Attorney General February 17, 1999

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**ARTICLE 25 – Citizens Petition: Electronic Voting System**

Requested By: Philip J. Goguen

To direct the Board of Selectmen and the Town Moderator to accept from Options Technologies Interactive their offer of a no cost turn key demonstration of electronic voting system, such demonstration to be in conjunction with the next special town meeting

Recommended by

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**ARTICLE 26 – Access Easement for 12 Hillside Road**

Requested By: Board of Selectmen

To see if the Town will vote to authorize the Board of Selectmen to grant an access easement to the owner of 12 Hillside Road over Town-owned property between said property and Cape View Road, on such terms and conditions as the Board deems to be in the best interests of the Town, or take any action relative thereto.

*Summary: Approval of this article will provide the owner a recorded right of access to owner's property from the road to the owner's property. This has been the historic access to this property and has been used by the owner/owners since 1950's.*

Recommended by

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**ARTICLE 25 – Citizens Petition: Discharge of Firearms**

Requested By: Susan K Boreri MD

Amend Chapter XV: Miscellaneous Provisions for Public Order and Safety; Section 2: Discharge of Firearms by deleting the current section's language and inserting the following new section 2:

Section 2: Discharge of Firearms

- a) No person shall fire or discharge any rifle, shotgun, gas or air powered rifle or pistol on or across any land within the confines of the Town of Ipswich, except under the following conditions:
  - 1) This section shall not prevent the use of firearms in the lawful defense and protection of one's person or other human being or property.
  - 2) Veterinarians in the practice of their profession.
  - 3) All law enforcement officers, whether federal, state or municipal in the lawful performance of their duties.
  - 4) Contractors using powder-fired charge tools at a construction site.
  - 5) The discharge of firearms using blank ammunition in fulfilling but not limited to the needs of historical, ceremonial, competitive and sporting activities.
  - 6) Person or persons at an authorized target range.
- b) No person shall hunt or shoot on Town owned land without a written permit from the Board of Selectman and signed by the Chief of Police. All other state hunting regulations shall apply.

*Summary: The proposed Amendment of Chapter XV will not take your guns away. Nor will it stop you from using your firearm to defend your family or property from harm. It will not limit your ability to hunt as long as you comply with current State regulations. It will not stop you from target practice at the Ipswich Gun & Rod Club. What it will do is limit the establishment of back yard shooting ranges in heavily populated areas where the discharge of a firearm is a public safety concern. As Ipswich expands its open space and strives to become a family friendly town limiting the discharge of firearms in an uncontrolled setting is paramount. A stray bullet can travel over a mile. Someone shooting at cans in one part of town could cause property damage or injury to persons, pets or livestock across town. You could be sitting in your back yard and be struck from a stray bullet shot over a mile away. Stray bullets contain lead, which could leach into well water, streams and the rivers that crisscross our town. This could affect your drinking water and potentially cause the closure of the clam beds. We are fortunate to have an established shooting club in our town where individuals can learn the proper handling of a firearm in a controlled setting. A yes vote would help update this article which was originally written in 1937 and last amended in 1973 to reflect our current population and their needs. I would appreciate your support in this matter.*

DRAFT

## **Election of Officers**

And you are also directed to notify said inhabitants, qualified to vote in the election of Town Officers, to meet at the YMCA Hall, County Road, on Tuesday, May 17, 2016; when the polls will be open from 7:00 a.m. to 8:00 p.m. to vote on one ballot for the following offices and questions:

- (1) Moderator, 1 seat, 1 year term; Board of Selectmen, 2 seats, 3 year term; School Committee, 2 seats, 3 year term; Housing Authority, 1 seat, 5 year term.

### *Summary:*

*The above are seats that will appear on the ballot for the May 17, 2016, Annual Town Election. The charter requires that any proposed ballot question for the annual election warrant be included in the annual town meeting warrant, as a notice to the public. This article is not voted upon by town meeting.*

DRAFT



And you are directed to serve this Warrant by posting at least one attested copy in each precinct in the Town at least seven days prior to the time for holding said meeting in a newspaper published in, or having a general circulation in, the Town of Ipswich.

Given unto our hands this 21st day of March in the year of our Lord, Two Thousand Sixteen.

TOWN OF IPSWICH  
BOARD OF SELECTMEN

---

Chair, Nishan D. Mootafian

---

Vice-Chair, Judy A. Field

---

William M. Craft, Member

---

Charles D. Surpitski, Member

---

Edward B. Rauscher, Member

## Conversion Table for the Proposed Reorganization of the General Bylaws of the Town of Ipswich, Massachusetts

NEW CHAPTER/ SECTION #	HEADING ( <i>retains existing heading except where noted</i> )	OLD CHAPTER/ SECTION #
<b>PART I:</b>	<b>GENERAL BYLAWS -- ADMINISTRATIVE</b>	
<b>5.</b>	<b>Town Bylaws</b>	Chapter I, Sections 1-3
<b>15.</b>	<b>General Administrative Provisions</b>	<i>new heading</i>
Article I	Call Fire Department or Special Police Force	Chapter XI, Section 14
Article II	Conformance with Community Development Plan	Chapter XI, Section 11
Article III	Conveyances of Land	Chapter XI, Section 2
Article IV	Hours of Town Offices	Chapter XI, Section 4
Article V	House Numbers	Chapter XI, Section 9
Article VI	Names of Streets	Chapter XI, Section 6
Article VII	Office Space	Chapter XI, Section 5
Article VIII	Rubbish, Brush, Trash Collection	Chapter XI, Section 10, ¶ 1
Article IX	Rules and Regulations	Chapter IV, Section 6
Article X	Sale of Personal Property	Chapter XI, Section 3
Article XI	Suits by or Against Town	Chapter XI, Section 1
Article XII	Streets, Acceptance of	Chapter XI, Section 7
Article XIII	Streets, Notice of Work On	Chapter XI, Section 8
Article XIV	Town Meeting Approval of Purchase of Electric Generating Plants	Chapter XV, Section 11
Article XV	Town Meeting Approval of Sewer Extensions	Chapter XV, Section 16
<b>25.</b>	<b>Town Meetings</b>	<i>New heading</i>
Article I	Bond Appropriations	Chapter II, Section 6
Article II	Organization	Chapter II, Sections 1-5
Article III	Procedures	Chapter III
<b>35.</b>	<b>Town Officers, Boards, Committees and Commissions</b>	<i>New heading</i>
Article I	General Provisions	Chapter IV, Sections 1-5
Article II	Affordable Housing Trust	Chapter X, Sections 1
Article III	Council on Aging	Chapter IX, Section 12
Article IV	Finance Committee	Chapter V
Article V	Town Accountant	Chapter VII
Article VI	Town Clerk	Chapter VIII
Article VII	Town Counsel	Chapter IX
Article VIII	Treasurer and Collector	Chapter VI
Article IX	Trust Fund Commissioners	Chapter X, Section 2
<b>PART II:</b>	<b>GENERAL BYLAWS – REGULATORY</b>	<i>New heading</i>

<b>105.</b>	<b>Advertising on Property of Others</b>	Chapter XV, Section 6
<b>109.</b>	<b>Animals</b>	<i>New heading</i>
Article I	Backyard Chickens	Chapter XXI
Article II	Dogs	Chapter XV, Section 5
<b>113.</b>	<b>Architectural Preservation District</b>	Chapter XII
<b>118.</b>	<b>Boats and Waterways</b>	<i>New heading</i>
Article I	Operation of Motorboats	Chapter XV, Section 4
Article II	Taking of Seaweed	Chapter XV, Section 8
<b>122.</b>	<b>Buildings, Numbering of</b>	Chapter XV, Section 14
<b>127.</b>	<b>Criminal Record Background Checks</b>	Chapter XV, Section 18
<b>134.</b>	<b>Dealers in Second-and Articles</b>	Chapter XIV, Section 2
<b>138.</b>	<b>Demolition Review</b>	Chapter XVI
<b>142.</b>	<b>Disorderly Behavior</b>	Chapter XV, Section 1
<b>149.</b>	<b>Firearms, Discharge of</b>	Chapter XV, Section 2
<b>153.</b>	<b>Fortunetelling</b>	Chapter XIV, Section 4
<b>170.</b>	<b>Peeping Toms</b>	Chapter XV, Section 3
<b>175.</b>	<b>Right to Farm</b>	Chapter XIX
<b>180.</b>	<b>Rubbish and Trash Collection</b>	<i>New Heading</i>
Article I	Recycling	Chapter XI, Section 10, ¶ 2
Article II	Rubbish, Disposal of	Chapter XV, Section 7
<b>185.</b>	<b>Scenic Roads</b>	Chapter XII, Section 10
<b>189.</b>	<b>Solicitors and Canvassers</b>	Chapter XIV, Section 3
<b>193.</b>	<b>Stormwater Management</b>	Chapter XX
<b>197.</b>	<b>Streets and Sidewalks</b>	<i>New heading</i>
Article I	Driving of Vehicles	Chapter XII, Section 1
Article II	Turning of Vehicles	Chapter XII, Section 2
Article III	Stopping or Standing Vehicles	Chapter XII, Section 3
Article IV	Signs and Signals	Chapter XII, Section 4
Article V	Obstruction of Streets or Sidewalks	Chapter XII, Section 5
Article VI	Sport and Games	Chapter XII, Section 6
Article VII	Water and Snow from Roofs	Chapter XII, Section 7
Article VIII	Commercial Activities	Chapter XII, Section 8
Article IX	Rules and Regulations	Chapter XII, Section 9
Article X	Maintenance and Repair of Private Ways	Chapter XV, Section 17

Article XI	Blocking of Streets	Chapter XII, Section 11
<b>201.</b>	<b>Town Property, Use of</b>	Chapter XIII
<b>212.</b>	<b>Vehicles for Hire</b>	Chapter XIV, Section 1
<b>220.</b>	<b>Water and Sewer</b>	<i>New heading</i>
Article I	Sewer Tie-Ins	Chapter XV, Section 9
Article II	Public Water	Chapter XV, Section 10
Article III	Mandatory Metering of Non-Seasonal Water	Chapter XV, Section 12
Article IV	Transfer of Real Estate, Inspection of Sewer System	Chapter XV, Section 15
<b>224.</b>	<b>Wetlands Protection</b>	Chapter XVIII
<b>PART III:</b>	<b>FINES, PENALTIES AND FEES</b>	<i>New heading</i>
<b>300.</b>	<b>Penalties</b>	Chapter I, Section 4
<b>305.</b>	<b>Establishment of Fees</b>	Chapter IV, Section 7
<b>310.</b>	<b>Due Date for Payment of Municipal Charges and Bills and Rate of Interest for Unpaid Charges</b>	Chapter IV, Section 8
<b>315.</b>	<b>Licenses – Revocation or Suspension for Non-Payment of Taxes or Assessments</b>	Chapter XI, Section 13
<b>320.</b>	<b>Mooring Fees and Town Wharf Launching Fees</b>	Chapter XV, Section 13
<b>325.</b>	<b>Noncriminal Disposition of Certain Violations</b>	Chapter XVII
Article I	Authority	Chapter XVII, Section 1
Article II	Enforcement	Chapter XVII, Section 2
Article III	Penalties	Chapter XVII, Section 3
Article IV	Applicable By-Laws, Rules or Regulations	Chapter XVII, Section 4

**TOWN OF IPSWICH**  
**Open Space Committee**

---

**MEMORANDUM**

**To:** Ipswich Board of Selectmen

**From:** Open Space Committee

**Copy To:** Town Manager

**Re:** 2016 Annual Town Meeting Warrant Article 16 to reduce the Open Space Bond Authorization by \$1 million

**Date:** March 8, 2016

---

We would like to voice our strong opposition to Warrant Article 16 to reduce the Open Space Bond Authorization by \$1 million and request that it be removed from the 2016 Annual Town Meeting Warrant.

Although there was a proposal last fall to lower the Open Space Bond Authorization in order to fund the artificial turf field at the high school, the decision made at the October 2015 Special Town Meeting was to fund the project through a separate appropriation. Therefore, it was our understanding that the discussion was over and that the Open Space Bond Authorization would be left intact.

There are checks and balances already built into the open space acquisition process which make this article unnecessary. As you know, all projects must be approved by the Board of Selectmen and any Open Space Bond expenditure over \$500,000 requires Town Meeting approval, giving the Selectmen and the community full control over any expenditure from the bond and to assess the merit of each potential acquisition. Reducing the bond authorization by \$1 million does not protect the community from unnecessary expenditures; rather it would limit our ability to take advantage of future opportunities to reach the goals of the bond authorization, such as obtaining property appropriate for public athletic field development. It would also unnecessarily undo the will of the citizenry who voted to approve the authorization on two occasions and have consistently supported the Open Space Bond Program.

Since 2011, when the Open Space Bond Authorization was increased to \$15 million, we have fully embraced the goal of acquiring property for use as recreational playing fields. Despite our efforts, we have as of yet, been unable to acquire an appropriate property for that purpose for a variety of reasons, including a lack of properties for sale during the economic downturn and more recently, the absence of staffing in the Open Space Program.

The situation is now quite different. There are currently several potential acquisition projects being explored, one of which appears to be an ideal site for recreational playing fields. In addition, a large number of high priority parcels have or are about to come into play which if developed inappropriately, could change the face of the town forever. We must be able to react when these opportunities arise and influence development to best meet the town's overall objectives. Reducing the bond as proposed would reduce our ability to control the fate of the town and create a large amount of unnecessary controversy related to one of the town's most popular programs.

## GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that THE INHABITANTS OF THE TOWN OF IPSWICH, having a mailing address of Ipswich Town Hall, 25 Green Street, Ipswich, Massachusetts 01938 (hereinafter referred to as "GRANTOR") in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, grant with quitclaim covenants to Anthony P. Rita and Jennifer M. Rita, of 12 Hillside Road, Ipswich, MA their heirs, successors and assigns (hereinafter referred to as "GRANTEE"), a non-exclusive perpetual Access Easement over a portion of Cape View Road as shown on a plan entitled "Access Easement Plan in Ipswich, MA", property of Anthony P. Rita and Jennifer M. Rita, dated March 11, 2016, prepared by Donohoe Survey, Inc., which plan is attached as an Exhibit hereto.

Said easement is granted with the right to pass, repass by foot or motor vehicle and otherwise use the Access Easement on said plan for all purposes for which access easements are commonly used in the Town of Ipswich, including but not limited to the installation, construction, operation, maintenance and repair of the right-of-way and all necessary appurtenances, including but not limited to, drainage, sewer, water, gas, electric, telephone, cable television, and fire alarm, and to renew, repair, alter, take up, change, relay and maintain any part thereof, in, over, under, through, across, upon and along said Access Easement.

In accepting this grant of easement, the GRANTEE: (1) agrees not to cause or allow vehicles to park within the Access Easement or on any portion of the town land over which the Access Easement passes; (2) states that it has removed any encroachments on the town land prior to the date of this grant of easement; (3) agrees not to cause or allow any future encroachments on any portion of the town land over which the Access Easement passes; (4) agrees to obtain the approval of the GRANTOR prior to the construction of the driveway within the Access Easement; and (5) agrees to repair, maintain and replace, as needed, any improvements or appurtenances within the Access Easement.

All rights and privileges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors, assigns and legal representatives.

This easement shall become effective upon its recording at the Essex County (South District) Registry of Deeds.

Ipswich Board of Selectmen

By:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

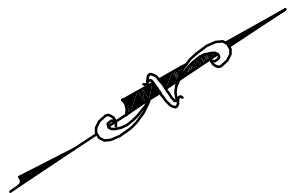
**Commonwealth of Massachusetts**

Essex, ss

On this \_\_\_\_ day of May, 2016, before me, the undersigned notary public, personally appeared \_\_\_\_\_, proved to me through satisfactory evidence of identification, which was a Commonwealth of Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose on behalf of the Ipswich Board of Selectmen.

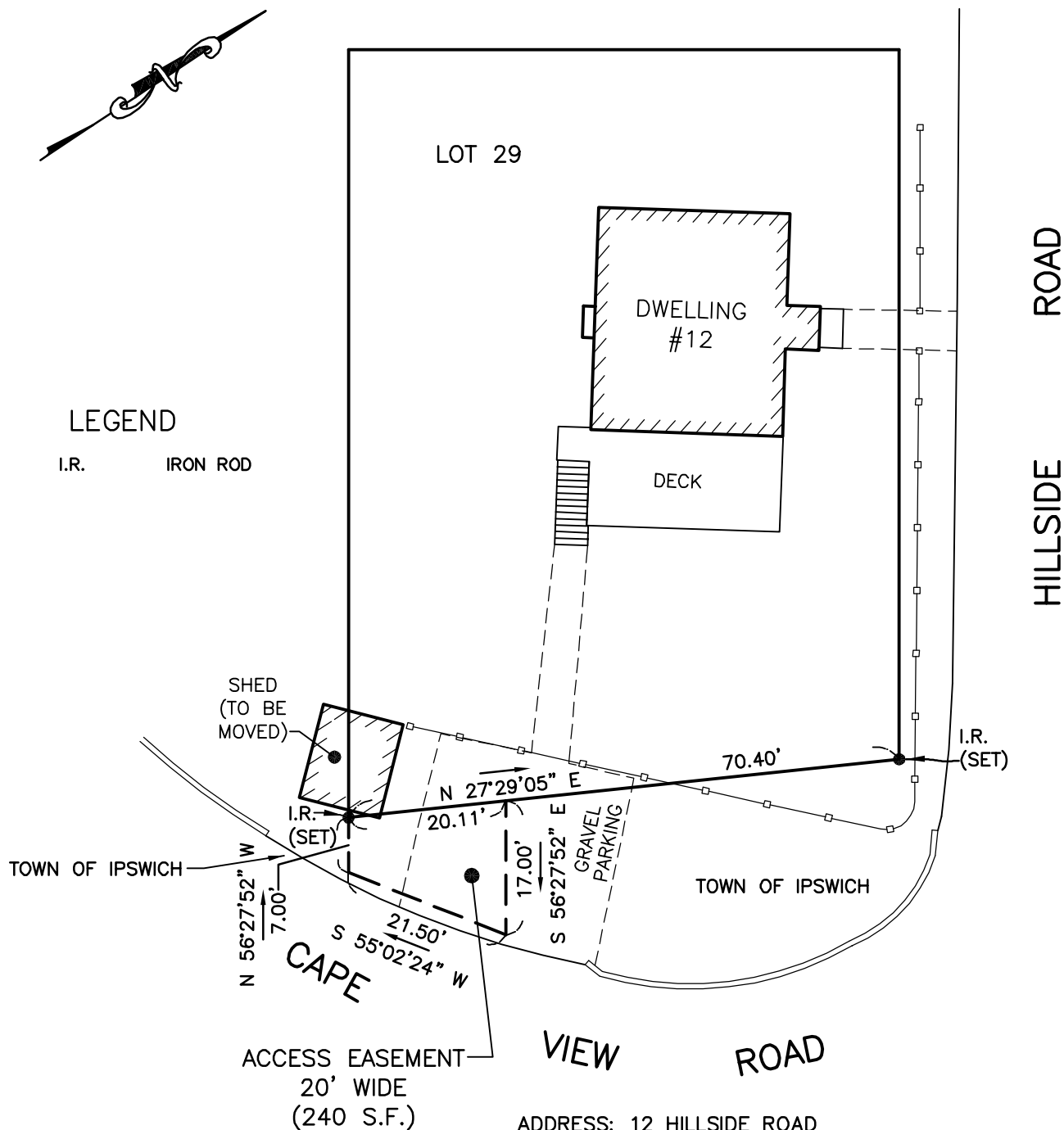
\_\_\_\_\_  
, Notary Public

My commission expires:



# LEGEND

I.R. IRON ROD



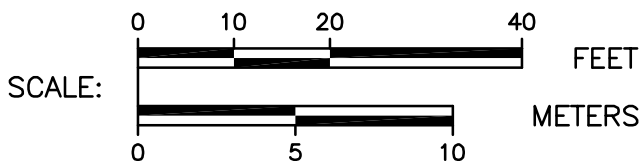
ADDRESS: 12 HILLSIDE ROAD

ASSESSORS: MAP 24A LOT 31

## REFERENCES:

DEED - BK. 31772 PG. 306

PLAN - PL. 958 OF 1955



## ACCESS EASEMENT PLAN IN

# IPSWICH, MA

PROPERTY OF

ANTHONY P. & JENNIFER M. RITA

SCALE: 1" = 20'

MARCH 11, 2016

DONOHUE SURVEY, INC.

363 BOSTON ST. TOPSFIELD, MA

(978) 887-6161

PROJ. 3208



Register of Deeds

APPROXIMATE NORTH

HILLSIDE ROAD  
(BITUMINOUS SURFACE)

N/F  
MCCARTHY

N/F  
SHAW

N/F  
TOWN OF  
IPSWICH

APPROXIMATE  
LOCATION OF  
RE-ROUTED  
DRAIN LINE  
DISCHARGE  
TO SURFACE

Survey done  
by Larry Graham  
in 2001

179.6'±

170.6'±

MAIL  
BOX

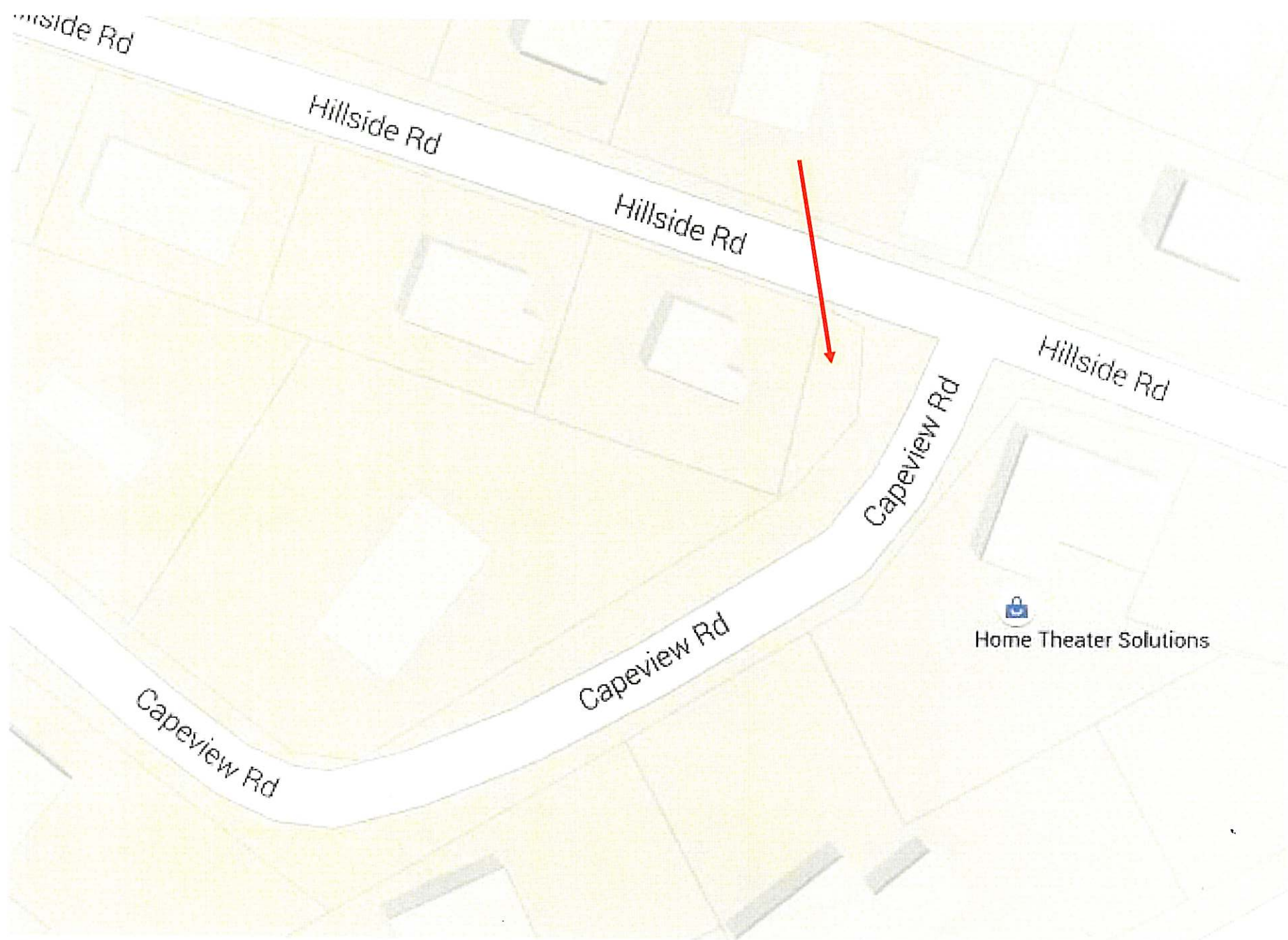
BIT. CURB (TYP.)

DE VIEW ROAD  
(BITUMINOUS SURFACE)

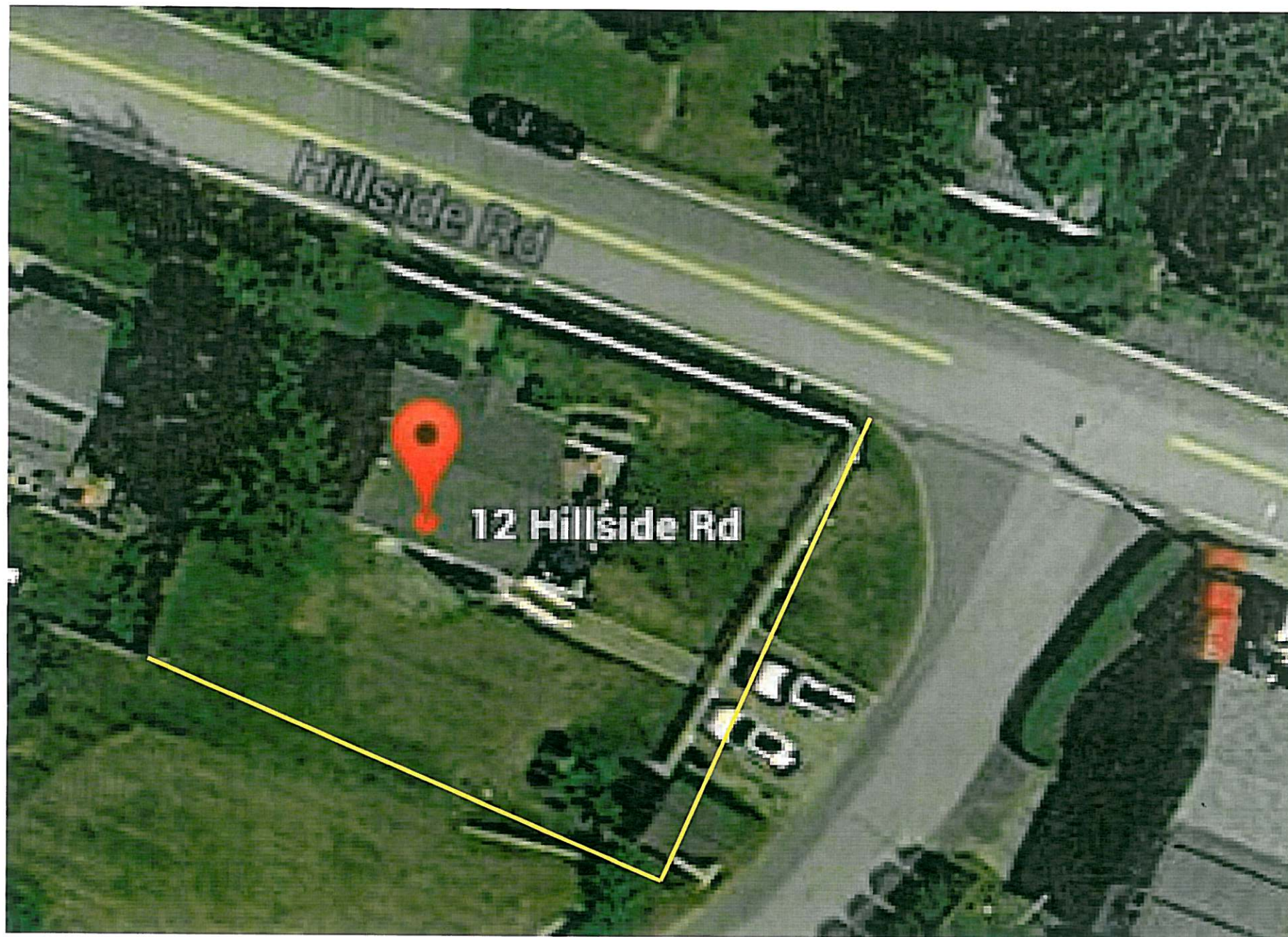
BENCHMARK "P"  
ROADSIDE

SYSTEM  
DIRECTION  
SEPTIC  
SEPTIC





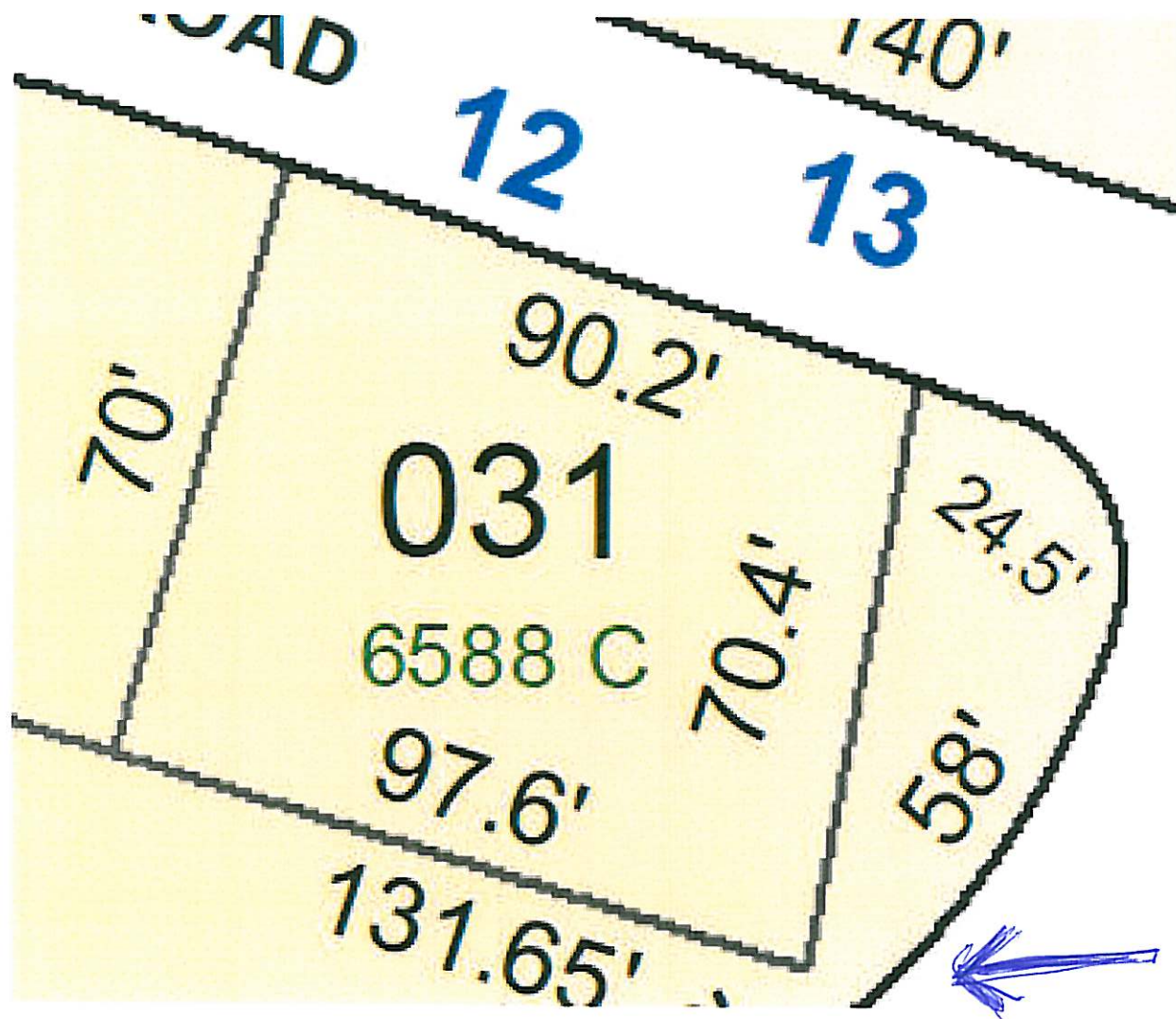






TAX MAP - Referring Town land  
as part  
of

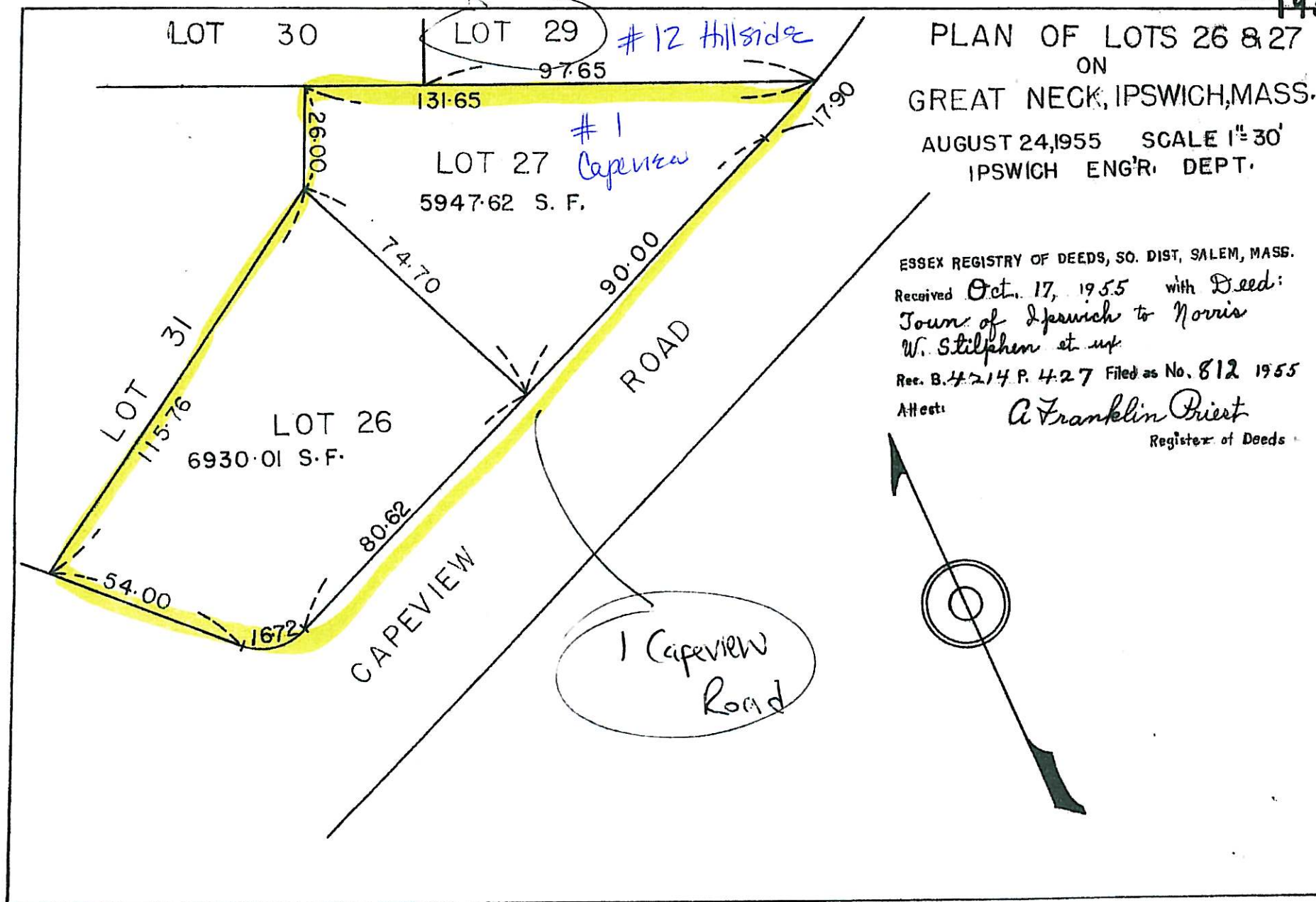
#1 Cedarview



12 Hillside Road

24A/30

812  
1955





## TOWN OF IPSWICH

Department of Public Safety  
15 Elm Street  
IPSWICH, MASSACHUSETTS 01938

**Paul A. Nikas**  
Director of Public Safety

(O) – 978-356-4343  
(F) – 978-356-6625

To: Chairman Nishan D. Mootafian; Board of Selectmen

From: Chief Paul A. Nikas; Director of Public Safety

Date: March 15, 2016

Re: Easement Request; 12 Hillside Road

---

Chairman Mootafian & Members of the Board,

I have reviewed an Access Easement Plan for property located at 12 Hillside Road, for Anthony P. Rita and Jennifer M. Rita. The owners are requesting an access easement to allow them to cross town property, on Cape View Road, in order to park their vehicles on their own property. Without this easement, it appears the owners would need to either park their vehicles on the edge of Hillside Road or create a cut-out for a driveway in order to enter and leave their property from Hillside Road.

After careful consideration, I am writing to express my preference on this matter from a Public Safety perspective. Due to the high traffic volume on Hillside Road and the poor sight lines, I would prefer that the requested easement be granted to the property owner. This easement would provide the owners safe access to their property from Cape View Road, which is a secondary road with limited traffic and slow vehicle speeds. Additionally, the easement would benefit the general public by reducing the number of vehicles entering and leaving traffic from a driveway along Hillside Road.

Respectfully Submitted,

Chief Paul A. Nikas  
Director of Public Safety

# Memo

**To:** Board of Selectmen, Town Manager  
**From:** Pam Carakatsane  
**Date:** March 16, 2016  
**Re:** 2016 Commercial Clam Licenses

---

Attached is the list of commercial clam licenses for 2016. Each of the applicants has filed their applications in compliance with the Town's Shellfish Regulations.

1. Commercial Licenses - Under the cap of 125, 94 applicants renewed, 9 applied for and qualified for a license via the lottery clause of the regulations. There are 22 licenses that remain unfilled including 2 who have applied but have not yet provided their state bed permit and fee.
2. Over 70 Commercial Licenses (not included in quota) – Six licenses were applied for.
3. Student Licenses – No students applied for licenses this year.

Since all the names of the permit applicants will be listed on the Open Meeting Law compliant meeting notice and agenda, the Board need not read each name individually when making the motion.

**The motion can be to vote the list as posted on the agenda.**



# 2016 COMMERCIAL CLAM LICENSES

	NAME	ADDRESS
1	Mackey, Wayne A.	45 Lakemans Lane
2	Mackey, Robert J.	6 Juniper Street
3	Purington, Sandra M.	8 Vermette Court #1
4	Gilbert, Joanne M.	14 Seaview Road
5	Gilbert, Daniel F.	14 Seaview Road
6	Vitale, Jeffrey S.	22 Island Park Road
7	Walsh, James J.	1 Peabody Street
8	Bernard, Elmer G.	14 Vermette Court
9	Voci, David C.	21 Newmarch Street
10	Lane, Daniel A.	14 Cedarview Road
11	Dunn, Kevin R.	8 Broadway Avenue #3
12	Sanidas III, John C.	13 Heard Drive
13	Soffron, Peter N.	3 Quay Road
14	Smith, Michael J.	90 Town Farm Road
15	Cook, Richard C.	6 Hammatt Street #8
16	Moon, Lawrence A.	4 Charlotte Road
17	Hetnar Jr., Edward P.	47 Lakemans Lane
18	Ashe, Harry J.	16 Appleton Park #C-5
19	Gonet, Matthew J.	58 Little Neck Road
20	Alexson Jr., Andrew W.	19 Juniper Street
21	Viator, Stanford O.	18 Woods Lane
22	Ogiba Jr., Edwin S.	37 Topsfield Road
23	Doane, Daniel P.	51 North Main Street #4
24	Paone, Perry K.	21 Poplar Street
25	Zabelski, Gary C.	32 Estes Street
26	Moon, Derrick C.	4 Charlotte Road
27	Tsaltas, Christopher A.	259 Linebrook Road
28	Soroka, John E.	31 Linebrook Road
29	Iwic, Peter J.	92 Town Farm Road
30	Dailey, Michael D.	30 Essex Road
31	McGowan, Bradford T.	8 Wainwright Street
32	Brown, David W.	31 Fairview Avenue #5
33	Eliopoulos, George M.	8 Fowlers Lane
34	Sheppard, John A.	4 Mt. Pleasant Avenue #2
35	Adams, Ross W.	111 Pineswamp Road
36	Kelley Jr., Roland J.	82 Jeffreys Neck Road
37	Camacho, Scott W.	25 Rosewood Drive
38	Turner, Brenda M.	8 Vermette Court #2
39	Turner, Stephen M.	8 Vermette Court #2
40	Prifti, Gjergji	19 Depot Square #7
41	Taylor Jr., George W.	34 Farley Avenue
42	Duvli, Dhimitraq	3 North Perley Avenue
43	Sotiropoulos, Brian M.	6B Maple Avenue

# 2016 COMMERCIAL CLAM LICENSES

44	Sotiropoulos, William P.	13 Lafayette Road #2
45	Spencer, Russell P.	2 Saltmarsh Road
46	Taylor, Tyler J.	34 Farley Avenue
47	Taylor, Debra L.	34 Farley Avenue
48	Zilinsky, Brian J.	34 Broadway Avenue
49	Castonguay, Brian D.	4 Quay Road
50	Blessington, Stewart J.	28 Old England Road
51	Bromby, Richard T.	3 Burton Road
52	Pickul, Joseph P.	321 High Street
53	Fountain, Richard G.	34 Farley Avenue
54	Graham, Alexander S.	14 Labor In Vain Road
55	Rice, Jonathan F.	2 Kingfisher Road
56	Duvli, Oresti	3 North Perley Avenue
57	Baraiolo, Jennifer E.	26 Manning Street
58	Baraiolo, Dominic M.	26 Manning Street
59	Damon, Paul E.	15 Eagle Hill Road
60	Burridge, Vincent W.	31B Greens Point Road
61	Wade, Michael E.	11 South Main Street #1
62	Fowler, Russell W.	23 Leslie Road
63	Thomas Jr., Jeffrey S.	33 Topsfield Road #7
64	Thistlewood, William J.	4 Mineral Street #2
65	Eaton, Jesse P.	64 High Street
66	Gritz, Robert D.	3 Tansey Lane
67	Parker, Evan A.	4 Sixth Street
68	Brown, Michael D.	56 Washington Street
69	Spencer, Scott J.	16 Appleton Park #G-2
70	Kelley, James L.	38 Old Enlgand Road
71	Camacho, Joel S.	25 Rosewood Drive
72	Moon, Jason C.	4 Charlotte Road
73	Thistlewood, Jason J.	9 Estes Street
74	Fountain, Christopher P.	34 Farley Avenue
75	Hetnar, Michael C.	59 Town Farm Road
76	Fisher, Mark J.	4 Mt. Pleasant Avenue #2
77	Collum, Mark R.	45 Skytop Road
78	Dupray, Michael L.	45 Skytop Road
79	Blakely, Jason D.	310 Linebrook Road
80	Swicker, David M.	39 Mile Lane
81	Tozier, Timothy C.	7 Valley Drive
82	Hemeon, Steven N.	24 Fellows Road #2
83	Brown, Christopher B.	113 Topsfield Road
84	Bruce, Christopher G.	329 Linebrook Road
85	Morrill, Richard A.	30 Estes Street
86	Labrecque, Edward N.	17 Eagle Hill Road
87	Martineau. Jeffrey L.	7 Cleveland Avenue

# 2016 COMMERCIAL CLAM LICENSES

<b>88</b>	Blessington, Stewart P.	36-Rear Farley Avenue
<b>89</b>	Tabor Jr., Theodore J.	4 Blaisdell Terrace
<b>90</b>	Martineau, Vincent W. Jr.	7 Fifth Street
<b>91</b>	Martineau, Vincent W. Sr.	7 Fifth Street
<b>92</b>	Vitale Jr., John A.	239 High Street
<b>93</b>	Terry, Daniel A.	24 Summer Street
<b>94</b>	Thistlewood, Albert R.	1 Leblanc Drive
	<b>NAMES FROM LOTTERY LIST</b>	
	<b>NAME</b>	<b>ADDRESS</b>
<b>95</b>	Allen, Sam K.	6 Bayview Road
<b>96</b>	Putur, Jeffrey M.	26 Charlotte Road
<b>97</b>	Cressey IV, George T.	11 Labor In Vain Road
<b>98</b>	Szaryc, Nathan T.	10 Mill Road
<b>99</b>	DiPietro, Michael J.	32 Plover Hill Road
<b>100</b>	Johnson, Mitchell D.	3 Rosewood Drive
<b>101</b>	Zabelski, Bryan J.	16 Peatfield Street
<b>102</b>	Mitchell, Richard E.	21 Appleton Park
<b>103</b>	Marcaurette, Christopher A.	10 Damon Avenue
	<b><u>OVER 70 (NOT IN QUOTA)</u></b>	
	<b>NAME</b>	<b>ADDRESS</b>
	Kmiec, Joseph D.	8 Abell Avenue
	Eliopoulos, Michael G.	8 Lakemans Lane
	Fawson, Bertram W.	2C Agawam Village
	Geanakakis, James	5 Burley Place
	Thistlewood, Arnold A.	12 Currier Park
	Thistlewood, Roger J.	8 Perley Avenue

TOWN OF IPSWICH  
MASSACHUSETTS

BOARD OF SELECTMEN  
Meeting of Tuesday, February 29, 2016  
Ipswich Town Hall, 25 Green Street

Pursuant to the Open Meeting Law, M.G.L. Chapter 30A, §§ 18-25, written notice posted by the Town Clerk and delivered to all Board members, a meeting of the Board of Selectmen (BOS) was held on TUESDAY, FEBRUARY 29, 2016 at 7 PM in Selectmen's Meeting Room A.

With a quorum present, Chairman Mootafian called the meeting to order at 6:07 PM  
Selectmen present: Nishan Mootafian, Judy Field, William Craft, Charles Surpitski and Edward Rauscher  
Also present: Robin Crosbie, Town Manager  
The open meeting was recorded, with permission, by Ipswich Access Community Media.

*VOTE: Mr. Craft moved to go into executive session, the motion passed unanimously by roll call vote.*

**ANNOUNCEMENTS:**

Primaries are tomorrow 3/1/2016.

2 selectman meetings ago Mike Dorie came up to discuss his applications for the Finance Committee. His application problems were caused by an oversight and Mr. Mootafian wanted to formally apologize for his application not getting forwarded to appropriate parties.

Introduction of Michelle Valencourt: She is the new Open Space Manager for Ipswich. She is a resident in Ipswich with a master's degree in environmental science and management.

**CITIZENS QUERIES:**

**John Soininen 17 County Street:** Has questions on net metering regulations for Ipswich. His understanding there is some changes to the regulations. Mr. Rauscher said a couple months ago the Subcommittee voted to recommend changes to the net metering policy. It is understood that the next meeting will vote to table those changes. The subcommittee thinks it may be better to wait and change all rates after a rate study is completed and change them all at once.

**Phil Goguen Kingfisher Road:** Had a question about tax relief for seniors and a packet he handed out at the last meeting. Mr. Rauscher has read the hand out, and the basic gist of what he read was some communities created a cap and it would be great to discuss this during the summer. Mr. Surpitski asked the accessing department and council on aging to give a recommendation on this. Mr. Craft also reviewed the packet and felt it was worth looking into.

**Fee Waiver Discussion for Commercial Clam License Holders:**

Steve Turner and Susan Turner 8 Valcourt appeared before the Board to discuss clams that were harvested that were recalled and their income was lost on this harvest. They feel that the protocol was not followed strong enough. Several clambers lost funds and they would like to be reimbursed from the town. They would also really like the protocol tightened up so this does not happen again. Mr. Craft explained he had asked similar questions when Ms. Halman was before the Board and it will be discussed at a waste water subcommittee meeting to move up the replacement of this pipe. Our insurance company felt we had responded appropriately but there is some gray area to think about. This situation has brought it up on everyone's radar and if there is any water problem it will be followed up on much quicker. Mr.

Surptiski explained both the shellfish and the police chief have the power to shut down flats. Ms. Crosbie explained that when the original email was sent that it was reported it was a private pipe and when the actual call went into the sewer department they were over there immediately. And the Shellfish Constable and the DEP were notified immediately. Mr. Rauscher said the clear facts we need to find out if there is a better way to monitor these areas. Clearly we don't like to see this happen in our sewer system, and this needs some more discussion. The short term is reimbursement issue which is what before us tonight.

Mr. Rauscher felt we should think about the amount they lost individually. Mr. Craft felt there is some responsibility on the town to do something for the clambers. He felt we should stand behind them. Mr. Surpitski agreed with this statement, but he is worried about setting precedence.

*VOTE: Mr. Craft moved to adjust the fee for this year up to the amount that was lost during this period: George Taylor \$312.00; George Eliopoulos \$252.00; Robert Mackey \$282.00; Steven Turner \$577.20; Jeffrey Vitale \$294.00; Mr. Rauscher seconded. The motion passed unanimously with the understanding the \$50 would still be place from each license into the stabilization fund.*

### **Various Board and Committee Appointments**

Confirmation of Lynda Reiman to Historic Commission: Linda appeared before the Board to discuss her appointment. This is an alternate member for a 2 year 4-month term.

*VOTE: Mr. Craft moved to appoint Lynda Reiman to the historic committee, Ms. Field seconded. The motion passed unanimously.*

Appointment to the Trust Fund Commission: Seth Ward, 3year full member. It's been Board policy have him appear before the Board.

*VOTE: Rauscher moved to appoint Seth Ward to the Trust fund position, Mr. Craft seconde.d The motion passed unanimously.*

BOS Representative to Recycling Advisory Committee: They would like a BOS member to start attending meetings. This is a 3-year term. Mr. Surpitsk felt this could be a shared position so everyone gets an idea on what is going on here.

*VOTE: Mr. Rauscher moved to be first attendee on a rotating basis, Mr. Surpitksi seconded. The motion passed unanimously.*

### **PUBLIC HEARING – 1 Chickadee Road Pole Petition**

Mr. Mootafian read the public notice.

*VOTE: Mr. Surpitski moved to open the public hearing, Ms. Field seconded. The passed unanimously.*

Dan Rowland appeared before the Board to discuss the project. The reason why the pole needs to be removed was discussed at length. Mr. Mootafian will recuse himself from this discussion because he is an abutter. Ms. Field will recuse herself because she did the closing on this property. Mr. Rowland showed a PowerPoint presentation containing pictures to the Board and abutters in attendance.

**Jim Jillson 6 Chicadee Road:** Is the pole being pulled closer to the road, it was confirmed they did not want to pull it closer to the road to keep it on a private public way. He was just worried about the pole being pulled into his view, he has no problem with this he just wanted to see if his view would be altered.

**John Hintlian 4 Chicadee Road:** It is his property that it's moving closer to, and he asked about location.

**Nishan Mootafian 33 Birch Lane:** The pole movement will not affect his lines or anything of that nature, it was confirmed it would not.

**Jim Jillson 6 Chicadee Road:** Asked how long the neighbors would be without power. It was confirmed 4-6 hours and it would be during the day, and they would be notified via written notice.

*VOTE: Mr. craft moved to close the public hearing, Mr. Rauscher seconded. The motion passed unanimously.*

*VOTE: Mr. Rauscher moved to approve the pole relocation as outlined, Mr. Craft seconded. The motion passed unanimously.*

### **Execution of Lease/Easement Relative to Private Improvements in the Soffron Lane Right-of-Way**

Glenn Gibbs Director of Planning appeared before the Board to discuss the improvements to Soffron Lane. The agreement has been prepared in advance, and is a license agreement prepared by Town Counsel. Sidewalk, Curb, street trees, flag pole and grain silos by a couple feet are located in the right of way. The grantee agrees to be responsible for the maintenance of the sidewalk, planting and tree maintenance. This is a permanent requirement. Rob Martin, Ipswich Ale Brewery explained when they started the project it was all under one situation, there were internal issues and the outcome and the property is under a different LLC at this point. Mr. Craft asked that this would be on the deed, and it was confirmed it runs with the land. Mr. Surpitski asked if the grantee would be assuming liability, how does that work. It was explained all the insurance is covered and the Town can be added to the umbrella policy. Also filing this will show they assume responsibility.

*VOTE: Mr. Craft moved to approve this with the understanding the town be added to the insurance policy, Ms. Field seconded. The motion passed unanimously.*

### **Pavilion Beach Summer Plan**

Chief Nikas and Rick Clarke appeared before the Board to discuss a comprehensive overview for Pavilion Beach and the upcoming season. There are a lot of limitations to Pavilion Beach, it is a barrier beach which will have very strict limitations from ConsCom for any projects. They will install 21 telephone cut to 3-5 foot heights on some of these pole non-intrusive signage could be added to list the Beach rules. Nautical ropes would be fitted through them. The ropes would be removed each fall. This will require notice to the ConsCom. The parking is a problem, there are no marked parking spaces. There are problems with sight lines for pedestrians in the lot. They would like to find a way to create marked parking spaces. All ideas require routine maintenance at least on the weekends if not daily. It is not feasible at this time because the DPW doesn't have the ability to do this. They would like to add a sign to demonstrate how cars should be parking in the lot. After consideration there is no way to make this beach resident only, it would require staff every day to enforce this. They do not want people to park near the playground unless they are Ipswich residents. As for installing a jiffy john, there are problems with vandalism, this would need to be kept in mind. If placed, it would be placed within the park to make it more secure. There is already one placed in here seasonally. Mr. Surpitski explained the parking can't be controlled itself but maybe the entering and exits could be. Mr. Craft felt that since if there was an emergency it would be very difficult for personal to get to the Beach, and maybe keeping some areas no parking would help with this. Chief Nikas said that on the poles they would be placing some no parking signs to help with this. Ms. Crosbie said dog waste was also an issue, and it was discussed if adding a dog waste station would help. Dog are not allowed on the beach from Memorial Day to Labor day. Mr. Rauscher worried that 21 poles were too many and maybe fewer should be used. Mr. Surpitski asked if they knew how many local's vs nonlocals use the park. The Chief felt it was mostly local people. Mr. Mootafian wanted to revise this and come back. Mr. Craft agreed, and felt it may be too many poles in the area as well. Mr. Craft also felt that having a little more control and supervision of the area would help. Mr. Surpitski and Mr. Craft instead of resident only be Playground parking only. Mr. Surpitski also felt we should at least try to have a porter potty in the area because it would be helpful. Mr. Mootafian asked the Chief to come back with another shot for the guiding poles. The Board is in favor of direction on how to park, and the signs for parking will say playground parking only. Mr. Rauscher asked how this would be enforced. Mr. Surpitski asked that the police could go to the park and talk to the people within the park. Mr. Mootafian also confirmed they would look into installing a jiffy john at the park. This would be presented by March 21<sup>st</sup>.

**Gary Champion Palamino Way:** Had concerns about the amount of people that would be showing up at the beach, thought it should be paid parking and a part time person should be paid to collect this.

### **Review and Comments on Draft Wharf Repairs & Improvements:**

Douglas Cameron assistant director for the boat access for Massachusetts appeared before the Board with Chief Nikas to discuss the Warf. The repair needs are substantially large and require state funds to complete. The angle of the ramp itself and dredging are not part of this part, it is very costly. They are trying to repair damage to the warf itself and the structural integrity. Mr. Cameron explained the concrete seawall has obvious deterioration and in addition to that they would like to put a hand rail or guard rail on top of the wall. It poses a potential public safety issue without the railing. The upper surface of the boat ramp is also showing deterioration. They would like to add granite stoppers at every parking spot to prevent all cars from being able to drive towards the water. Mr. Craft full disclosure lives near the warf, said currently this area is used by recreational boaters, clambers and is a wonderful resource to the town. How high would the set of rails be above the cap, it was confirmed building code requires 42 inches. The reasoning for the slats is to make it meet building codes.

**Richard Bentley:** He can't unload his traps currently, if this fence goes up he's going to be put out of business. Mr. Cameron said there is a cross hatched area in the pavement and this is where commercial operations should take place. They are trying to find a way to maintain the fence or make it a swing gate to be moved out of the way to facilities loading or offloading operations.

**Janet Craft 62 East Street:** Helped design the plan of the warf, has a couple question about the new plan. The intention for the granite blocks was to keep the cars from potentially going over the edge. It was also to create a pedestrian corridor. Her concerns if they double the amount of blocks it will act more like a barrier. She also has concerns about the railing because it will dramatically change the aesthetic quality of the area. Is this railing required by law? Mr. Cameron said it will not be a continuous row of granite blocks, as for the railing the building inspector would need to weigh into this matter. It would be the local authority that has jurisdiction in this area.

**Dan Rowland Ipswich Light Department:** Currently there is a pole fixed to the wall, there are two brackets on that pole. The low bracket is gone and rotted off. They would like to add to lower bracket to retain that pole. It was confirmed this could be taken care of.

Mr. Craft asked how disruptive this would be and how long it would take; it was estimated it would take a few months working with the tides and typically the capital funds are allotted with a construction schedule of March until the end of June.

**Janet Craft, 62 East Street:** Wondering if while this work is going on, maybe that hand cranked lift could be taken out. It's never used.

**Commercial Fisherman:** They were promised the lift and it's just not the right system for them. Something else would be better and used often. He has concerns about waiting for the marked commercial spot, they right now are going between the granite blocks.

**Sam Allen 6 Bayview Road:** The fence and the granite blocks would impede their job. An 8X6 foot gate is not at all large enough to accommodate them.

**Chris Murray 37 Summer Street:** He discussed the economic input from the commercial fisherman in the area. He has concerned about their being able to continue this job. Their input to this community should not be undervalued. Other communities rely on heavy signage, and this should be implemented here as well. Also video surveillance could be implemented. He feels the warf is missing signage and education for residents. Ms. Crosbie asked about the existing fence, and it was confirmed this was on town property. Will the town portions also be fixed during this? Rick Clarke confirmed they would like to jump onto this contract as well. Ms. Crosbie also asked that when the pedestrian access is created it needs to be wide enough for wheelchair access.

Gary Champion Palamino Way: At town warf there is an aluminum gangway for access on the other side are the floats for permitted boat tying. The only way to get there is a handrail to climb down. Could there be a second gangway added? The other thing, the ramp itself is a very odd shape it can be challenging to line your boat and trailer up. You can't see it at high tide, could the sidewalls have some poles installed to be seen at all tides.

Sam Allen, 6 Bayview Road: The gate says it would potentially be 8X6 wouldn't even accommodate one truck well. The davit that is there is obsolete and it was only put up to appease the lobsterman back in the day and it is not large enough. It would get utilized a lot more if could be better.

Mr. Mootafian wanted it known this was purely a draft at this point. He asked that everyone continue to get information from commercial fisherman and boat owners.

### **Approval of Minutes:**

February 16, 2016:

Under Citizens Queries for Feb 16<sup>th</sup>. 2<sup>nd</sup> to last sentence ‘The charter should be followed’ Go back to check the video on this and fix this sentence, information is missing. It is understood that this should be phrased differently.

*VOTE: Mr. Rauscher moved to approve Feb 16<sup>th</sup> minutes with edits, Mr. Surpitski seconded. The motion passed unanimously*

February 22, 2016:

*VOTE: Mr. Surpitski moved to approve the February 22<sup>nd</sup> minutes, Mr. Craft seconded. The motion passed unanimously.*

### **Consent Agenda**

1) Ipswich Family YMCA - Road Race – May 7, 2016, License #1 of 30 for 2016

*VOTE: Mr. Rauscher moved to approve the license, Mr. Craft seconded. The motion passed unanimously.*

2) Ipswich Family YMCA – Road Race – June 21, 2016, License #2 of 30 for 2016.

*VOTE: Mr. Rauscher moved to approve the license, Mr. Craft seconded. The motion passed unanimously.*

3) Ascension Memorial Church – Fundraiser Dance – March 12, 2016, License #1 of 30 for 2016.

*VOTE: Mr. Craft moved to approve the license for the Ascension memorial church, Ms. Field seconded. The motion passed unanimously.*

### **Sub-Committee Reports:**

Ms. Field wanted to reach out to people in the community to sponsor an island. They are being more selective this year and would like people to apply.

Mr. Surpitski explained the veteran district met last week, and is happy to report that the veterans district is in good financial shape and a full audit was not required.

### **Old Business:**

There are requests to reopen the warrant and add additional articles. They would like to grant access easement at 12 Hillside Road. This is time sensitive due to a purchase and sale agreement. Ms. Field recused herself.

*VOTE: Mr. Craft moved to reopen the warrant, Mr. Surpitski seconded. The motion passed unanimously.*

Ms. Field also recused herself from this article. The second additional article, was a request from Whittier. They want to establish a stabilization fund. They are not appropriating any money to it, they intend to put money in their overtime in anticipation of capital projects. Mr. Craft questioned if we knew how much they anticipated placing into the fund? What are any potential ramifications? Ms. Crosbie explained there are no plans to place money in this fund in FY17. They would like to put funds into this account in the future to make repairs to the property and building. Mr. Rauscher they don’t need it for this budget cycle, so if we don’t add it to this warrant it could be added in the fall. And we could get more information on this item. Ms. Crosbie will ask for more information from Whittier and our representative to Whittier to appear before the Board. This will be taken up on March 21<sup>st</sup>.



*VOTE: Mr. Surpitski moved to add Hillside Road to the warrant, Mr. Rauscher seconded. The motion passed unanimously.*

Mr. Rauscher wanted to know what happened with this property, there are a lot of problems. He would like information presented. Ms. Crosbie explained that on accessor maps it appears as an abutter property. Robin Nolan is looking into this but the most effective way to address the home owner's concerns is to provide an easement.

*VOTE: Mr. Surpitski moved to close the warrant, Mr. Craft seconded. The motion passed unanimously.*

### **New Business**

None

#### Approved Banner List:

Ipswich Garden Club/Annual Plant Sale

May 12th thru May 21<sup>st</sup>

First Presbyterian Church/Christianity Explored Mar. 21st thru Mar. 30th

Friends of the Ipswich Elem. School/Casino Night Mar. 8th thru Mar. 17<sup>th</sup>

#### Employee Changes:

##### New Hires:

Robert McParland – DPW Laborer – Effective: March 7, 2016

Separation/Retirement: Michael Szydlo –Retirement – Effective: March 31, 2016

Current Vacancies: all vacancies are posted to the Town website under employment. Parties interested can register to receive automatic notification via email or text when new vacancies are added to the website. Electric Light Department Operations Manager – Accepting application until position is filled.

DPW Forestry Foreman – Accepting applications

PT Dispatcher – Application period TBD

Assistant Animal Control Officer – Accepting application until position is filled.

Finance Director – Accepting applications through February 22, 2016 or until position is filled.

Accounting Assistant – Accepting application until position is filled.

**Shellfishing:** On the Ipswich River, Fox and Treadwell Island Creeks, Neck Cove, Neck Creek, Labor in Vain Creek are now open to shellfishing.

### **Adjournment**

*VOTE: Mr. Craft moved to adjourn at 10:05, Mr. Rauscher seconded. The motion passed unanimously.*

Respectfully submitted by

Jennifer Dionne

3.7.16

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**MEMORANDUM**

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**TO:** BOARD OF SELECTMEN  
**FROM:** DIANE.V. HANSEN, ADMINISTRATIVE ASSISTANT TO BOS/TM  
**SUBJECT:** ONE DAY LIQUOR LICENSE APPLICATION(S)  
**DATE:** 3/18/2016

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I attach the following application for one-day liquor license:

- 1) Ipswich Friends of the Library – Ipswich Reads...One Book 2016 Reception at the Ipswich Museum – April 29, 2016, License #1 of 30 for 2016.

At the Board of Selectmen meeting on February 29th, the following one-day liquor licenses were approved. The organization applying for the license was approved as the Ipswich Family YMCA however it should have been the Ipswich Rotary. Kindly vote again on this license.

- 2) Ipswich Rotary - Road Race – May 7, 2016, License #1 of 30 for 2016. The organization applying for the license was originally approved as the Ipswich Family YMCA.

Each establishment is allowed 30 licenses per calendar year. The request has been reviewed by the Police Chief, Fire Chief and Health Agent.

Kindly vote on the attached request(s).